

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BACHARACH: A bill (H. R. 10141) granting a pension to John C. Kulpman; to the Committee on Pensions.

By Mr. BROOKS of Pennsylvania: A bill (H. R. 10142) to provide for an honorable discharge from the United States Army of John Sponseller; to the Committee on Military Affairs.

Also, a bill (H. R. 10143) granting a pension to Maude C. Cooper; to the Committee on Pensions.

By Mr. ECHOLS: A bill (H. R. 10144) granting an increase of pension to Mary A. Johnston; to the Committee on Invalid Pensions.

By Mr. HAWLEY: A bill (H. R. 10145) granting a pension to Irving Bunce; to the Committee on Pensions.

By Mr. KETTNER: A bill (H. R. 10146) to authorize the President of the United States to appoint Marion C. Raysor an officer of the Army; to the Committee on Military Affairs.

Also, a bill (H. R. 10147) granting an increase of pension to Elizabeth A. Hinman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10148) granting an increase of pension to Cordelia D. Maynard; to the Committee on Invalid Pensions.

By Mr. NEWTON of Missouri: A bill (H. R. 10149) granting an increase of pension to Catherine E. Brinkmann; to the Committee on Pensions.

By Mr. RANDALL of California: A bill (H. R. 10150) granting a pension to Sarah A. Dow; to the Committee on Invalid Pensions.

By Mr. WEAVER: A bill (H. R. 10151) making appropriation to compensate the Carolina Provision Co. for wood furnished the United States Government during the war; to the Committee on Claims.

Also, a bill (H. R. 10152) granting a pension to Cornelia Deal; to the Committee on Pensions.

Also, a bill (H. R. 10153) granting a pension to Lewis A. Boone; to the Committee on Pensions.

By Mr. WILSON of Illinois: A bill (H. R. 10154) granting an increase of pension to James Scott; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BABKA: Petition of Local No. 51, American Federation of Railroad Workers, of Cleveland, Ohio, protesting against the passage of the Cummins bill; to the Committee on Interstate and Foreign Commerce.

By Mr. ELSTON: Petition of Metal Trades Council of Alameda and Contra Costa Counties, Calif., relative to the industrial strike in the shipbuilding and metal trades industry; to the Committee on the Judiciary.

By Mr. FESS: Petition of 10 citizens of Springfield, Ohio, protesting against mob violence; to the Committee on the Judiciary.

By Mr. KIESS: Papers to accompany House bill 9507, granting a pension to Charles I. Meck; to the Committee on Pensions.

By Mr. LINTHICUM: Petition of R. Walter Graham, of Baltimore, Md., favoring legislation which will give the railroads a square deal; to the Committee on Interstate and Foreign Commerce.

Also, petition of John H. Dockman & Son, per James M. Smith, of Baltimore, Md., favoring the passage of Senator CALDER's bill; to the Committee on Interstate and Foreign Commerce.

Also, petition of United States customs inspectors of the port of Baltimore, Md., favoring the passage of House bill 6577; to the Committee on Ways and Means.

By Mr. MCGLENNON: Petition of J. P. O'Connor, secretary Michael Davitt Branch, Friends of Irish Freedom, relative to the Irish Republic; to the Committee on Foreign Affairs.

By Mr. MEAD: Petition of Plimpton-Cowan Co., of Buffalo, N. Y., protesting against the passage of the Steenerson bill, House bill 5123; to the Committee on the Post Office and Post Roads.

By Mr. O'CONNELL: Petition of Smith & Hemenway Co. (Inc.), of Irvington, N. J., favoring the passage of House bills 5011, 5012, and 7010, relating to patents; to the Committee on Patents.

By Mr. THOMPSON: Petition of sundry citizens of Ohio, asking consideration of the Cummins bill now before Congress, which takes away individual initiative, and asking that fair and wise treatment be given the railroad security holders in order to promote the development and prosperity of the United States; to the Committee on Interstate and Foreign Commerce.

SENATE.

FRIDAY, October 24, 1919.

(Legislative day of Wednesday, October 22, 1919.)

The Senate met at 12 o'clock noon, on the expiration of the recess.

TREATY OF PEACE WITH GERMANY.

Mr. HITCHCOCK. Mr. President, I ask to have a number of telegrams printed in the Record. I should like to have the one I send to the desk read.

The PRESIDENT pro tempore. The Secretary will read, if there be no objection.

The Secretary read as follows:

GRAND RAPIDS, MICH., October 22.

Senator HITCHCOCK,
Washington, D. C.:

Resolved, That the National Council of Congregational Churches, now in session at Grand Rapids, Mich., voices its gratitude to Almighty God for the triumph of right over might and the return of peace. The council favors the ratification and adoption of the peace treaty and the covenant of the league of nations without amendments and with only such reservations as shall strengthen the moral influence of the United States. While not indifferent to imperfections, and anticipating adjustments under the test of actual operation, the council regards the league as substituting reliance on moral principles effectively organized for dependence on military policy subject to the balance of power. The council supports the covenant as the only political instrument now available by which the spirit of Jesus Christ may find wider scope in practical application to the affairs of nations. Through this covenant the conscience of mankind registers its determination to renounce aggressive warfare, and the United States assumes responsibility in promoting freedom and justice among the peoples of the earth.

Resolved, That a copy of these resolutions be sent by telegraph to the Committee on Foreign Relations of the United States Senate.

W. E. LOUGEE, Secretary.

Mr. HITCHCOCK. I also ask to have printed in the Record, without reading, resolutions unanimously adopted after full discussion in Chicago by the Baptist Ministers' Conference of Chicago and vicinity, in support of the league of nations.

There being no objection, the resolutions were ordered to be printed in the Record, as follows:

BAPTIST MINISTERS' CONFERENCE OF CHICAGO, ILL.,
Chicago, Ill., October 14, 1919.

The Hon. G. M. HITCHCOCK,
United States Senate, Washington, D. C.

DEAR SIR: I have the honor to inclose herewith and forward to you a resolution which was presented at and, after full discussion, unanimously adopted by the Baptist Ministers' Conference of Chicago and vicinity, in regular session, Monday, October 13, 1919.

Very respectfully, yours,

C. T. HOLMAN,
Secretary.

Whereas the loss of millions of lives and the wastage of billions of treasure in the World War most impressively admonish us to provide against another such war; and

Whereas America's part in the late war has given our Nation a commanding position in world affairs and this influence should be used to help organize the nations against war; and

Whereas the covenant for a league of nations is part of the peace treaty, and if agreed to by the nations of the earth will make another great war almost an impossibility; and

Whereas this covenant for a league of nations is not a legal, but a high moral bond and is made in the spirit so native to Baptists, being a spiritual organization that will hold the nations together for common ends; and

Whereas the Northern Baptist Convention, under date of June 2, 1919, passed the following resolution:

"*Resolved*, That we express our gratitude to God for the return of peace; that we recognize in the Paris covenant for the league of nations a great step in the advance of Christian civilization; and that we urge our people to use their utmost influence to secure its ratification"; and

Whereas the following religious bodies have expressed themselves in much the same manner in favor of the proposed league of nations:

The Methodist Episcopal, July 4, 1919;

General Assembly of the Presbyterian Church in the United States of America, May 15, 1919;

The Board of Bishops of the United Brethren Church;

Sections of the Congregational body;

Many bishops and other religious leaders for their groups;

The Federal Council of the Churches of Christ in America, in the following plea at Cleveland, Ohio, May 6, 7, 8, 1919:

"That we express our gratitude for the establishment of the league of nations as agreed upon by the Paris peace conference, and pledge our support in securing its ratification by the Senate of the United States, and our devotion to make it a success"; Therefore be it

Resolved by the Baptist Ministers' Conference of Chicago and vicinity in regular meeting this Monday morning, October 13, 1919. First. That we express our great joy in the thought of the world being leagued together against war and for peace in international relations.

Second. That the covenant for a league of nations as part of the peace treaty is the beginning of a new and powerful fellowship of the nations, which will bind the earth together for peace and mutual good will.

Third. That we urgently request the Senators from Illinois and their fellow Members of the United States Senate to agree to this new covenant as part of the peace treaty and to do so without amendment or reservation, which would make it necessary to resubmit the treaty of peace to the peace conference, and thus dangerously delay the making of peace among the nations.

Fourth. That we are not opposed to such interpretations of the various provisions of the treaty and the covenant as shall make clear our own understanding of the obligations we thus assume, and that these interpretations become a part of the record of ratification.

Fifth. That we urge our Baptist people to use every proper effort to bring our Senate to an early vote on ratification of the peace treaty and the consequent creation of the league of nations. We believe that the ratification of peace awaits only the vote of our National Senate.

Sixth. That copies of this resolution be given our Baptist newspapers, furnished to the daily press, sent to the United Senators from Illinois, filed as a petition to the Senate, and spread upon our own records.

(Signed) CARL D. CASE, *President*,
C. T. HOLMAN, *Secretary*,

Baptist Ministers' Conference of Chicago and Vicinity.

Mr. HITCHCOCK. Also resolutions unanimously adopted by the Second District California Congress of Mothers and Parent-Teacher Associations, representing 5,000 mothers in northern California, in favor of the league of nations.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

CALIFORNIA CONGRESS OF MOTHERS AND
PARENT-TEACHER ASSOCIATIONS,
Los Angeles, October 11, 1919.

Senator HITCHCOCK,
Senate Office Building, Washington, D. C.

DEAR SENATOR HITCHCOCK: The Second District, California Congress of Mothers and Parent-Teacher Associations, representative of 5,000 mothers in northern California unanimously adopted the following resolutions:

"Whereas the late war was fought by the allied peoples to end war, as the great statesmen have testified, not once but many times; and

"Whereas the peace conference at Paris has drawn up a constitution of the league of nations designed to achieve peace; and

"Whereas we, the members of the Second District, California Congress of Mothers and Parent-Teacher Associations, representing 5,000 women in seven northern counties in California, desire an end of wars, and believe that the league of nations will make for peace: Therefore be it

"Resolved, That we heartily indorse the league of nations; that we urge our fellow-citizens to support it; that we call upon our representatives in the Senate to ratify it; that we send copies of these resolutions to President Wilson, Secretary Lansing, Senators JAMES D. PHELAN and HERMAN JOHNSON, and to our Representatives; and that we give copies of the same to the press."

We, as a Nation, must think constructively—not destructively. "America's participation in the war was to make the world safe for democracy," and we believe the league of nations, without reservation or amendment, is a step of progress.

The opportunity has come to finish the task undertaken for the benefit of mankind. Let us accept the responsibility, realizing the magnitude of power for good America has, and let us show the generations to come that true democracy never dies.

Cordially,

Mrs. L. P. BOYCE,
Secretary, Women's League for the Peace Treaty.

Mr. HITCHCOCK. Also a letter from Mr. Hamilton Holt, editor of the Independent, giving the result of a postal-card vote among returned soldiers and sailors from France, representing 554 for the league of nations as against 12 who were opposed and 5 who wanted reservations.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE INDEPENDENT,
New York, October 20, 1919.

Senator G. M. HITCHCOCK,
United States Senate, Washington, D. C.

MY DEAR SENATOR HITCHCOCK: I wrote to Mr. Frank Andrews, who is the chairman of the League to Enforce Peace, in Fall River, and who was presiding officer when I had my debate there, for the information concerning which I spoke to you, and I have received the inclosed letter. He told me that they originally sent out 2,500 questionnaires to returned soldiers in their neighborhood, and these are the replies that he got. I think it will be very interesting when some one says the soldiers are against the league of nations.

Very truly, yours,

HAMILTON HOLT,
Editor.

FALL RIVER, MASS., *October 16, 1919.*

Mr. HAMILTON HOLT,
*Independent Corporation, 119 West Fortieth Street,
New York City.*

MY DEAR MR. HOLT: Yours of the 14th instant at hand. The result of the poll among the returned soldiers and sailors was 554 for the league of nations, 5 wanted reservations, and 12 were opposed.

Very truly, yours,

FRANK L. ANDREWS.

Mr. HITCHCOCK. Also a number of communications from California, representing protests against the attitude of the Senator from California [Mr. JOHNSON].

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

LOS ANGELES, CALIF., *October 21, 1919.*

Hon. GILBERT HITCHCOCK,
United States Senate, Washington, D. C.

On October 5 the Los Angeles branch of the League to Enforce Peace conveyed to the United States Senate through you certain facts to convince them that the people of the State of California were not in harmony with the views and stand expressed and taken by Senator JOHNSON on the peace treaty and the covenant.

We are now conveying to you additional facts which conclusively prove that our former stand was correct, and that the people of this State, if given an opportunity at the polls, would overwhelmingly repudiate the Senator and his stand upon the covenant.

During the last few weeks there has been a tremendous wave of sentiment in favor of the ratification of the covenant of the league, which has no parallel in the history of this State.

In a very recent letter written by former Senator Prescott F. Cogswell, now supervisor of the first district in Los Angeles County, concerning Senator JOHNSON's attitude, he said:

"During the six years that Senator JOHNSON was governor of California as a member of the California-Senate I gave him undivided support, but I regret to say that in his present attitude upon this question he does not represent either the people of California or the Republican Party of this State. At a meeting recently at which was present a man who was candidate for governor of this State on the Republican ticket six years ago; a man who was a candidate for United States Senator on the Republican ticket eight years ago, and who is being seriously considered as a candidate a year hence; the chairman of the county Republican central committee; and a number of the most prominent members of the Republican State central committee, it appeared to be the unanimous opinion of all that if the ratification of the peace treaty and league of nations were left to a vote of the Republicans of the State of California entirely eliminating the Democratic Party it would be ratified by a majority of ten to one."

The sentiment of California is clearly expressed in a resolution passed at San Bernardino by the conference of the Methodist Episcopal Church South, as follows:

"Whereas there has been much confusion in the minds of some of our citizens with reference to the league of nations, which confusion has been encouraged and increased by certain petty politicians and radical newspapers, some of which had doubtful tendencies with regard to their patriotism: Therefore be it

"Resolved by the Los Angeles annual conference of the Methodist Church South, meeting in San Bernardino on October 16, 1919:

"First, That any man who endeavors to inject a spirit of bitterness and controversy into the present international situation is not only a traitor to his country but a traitor to the world.

"Second, That we favor the adoption of the league of nations without amendments or reservations.

"Third, That we request our Senators from Arizona and California to support and vote for the same."

Our organization has received since our last report resolutions from organizations and groups of people from all southern California asking for the immediate ratification of the covenant without amendment, including the Los Angeles High School Teachers' Association, representing eleven hundred teachers; the faculty of the University of Southern California; the Glendale Union High School; Pomona College; and innumerable other educational institutions. Many women's clubs have adopted similar resolutions. Orange County League to Enforce Peace, composed of former supporters of Senator JOHNSON, has sent communications demanding the Senator's support of the covenant of the league. The California Teachers' Association in Oakland last week, twenty-three hundred in attendance, indorsed the covenant without amendment. In addition to the general church federation, different denominational church unions and individual churches throughout southern California have indorsed the league. In fact, the churches and educational institutions of our State stand almost unanimously in favor of the adoption of the league covenant without amendment. Nearly every county in southern California has sent petitions to our headquarters signed by superior court judges, business men, city officials, and private citizens, indorsing and urging the approval of the league. An actual vote taken in southern California from many commercial, financial, and industrial concerns, churches, and lodges shows a vote of 16,710 for adoption of the covenant, as against 1,692 against adoption.

The following communication received by the league speaks for itself:

"We, the undersigned, former supporters of Senator JOHNSON, have considered the pleas which he made in this State in opposition to the league of nations. He advanced no new arguments, and, in fact, in his speech at Shrine Auditorium he did not quote a single line of the covenant. He placed a wrong interpretation on the provisions of the cove-

nant and made corresponding statements concerning its effect. He based his appeal upon national hatred and racial prejudice. We especially deplore his attack upon the motives of the countries who are our allies and hundreds of thousands of whose sons lie dead beneath the fields of Belgium and France. His speeches reveal his hostility to the entire treaty and any league of nations with the United States as a party. He preached a false Americanism that can only properly be characterized by the word "jingoism." In this great crisis we had a right to expect the Senator to state his cause from a standpoint of reason and intelligence and not from passion and prejudice. We express our deep disappointment because of his failure to meet this great issue from a standpoint worthy of the great office in which the people of this State had confidence to place him in.

"Harlan G. Palmer, president Young Men's Johnson-for-Senator Club; Clyde C. Johnson, secretary Young Men's Johnson-for-Senator Club; Arthur W. Eckman, secretary southern division Republican State central committee, Johnson campaign; Thomas Hughes, executive committee of Republican State central committee, 1918; Charles Farwell Edson; Theo. Martin; George H. Dunlop."

Senator JOHNSON's trip to California has clearly shown the people of this State that his sole object is to defeat the covenant of the league rather than to amend it. In his Los Angeles speech he said: "I consider that the league of nations at present is entirely useless." Hon. Herbert Hoover says: "If the league is to break down, we must at once prepare to fight. If we believe we can see our neighbors return to a 30 years' war through the breakdown of this treaty and we still maintain our progress it is the egotism of insanity. I am convinced that if we attempt now to revise the treaty we shall tread a road through European chaos." Mr. Hoover voices the belief, sentiment, and conviction of 90 per cent of the people of the State of California, and they will overwhelmingly repudiate the sentiment expressed by Senator JOHNSON at the earliest possible opportunity.

League to Enforce Peace for Southern California, by William M. Bowen, president; Roy Malcolm, secretary; Mrs. Herbert A. Cable, vice chairman, League to Enforce Peace.

Mr. HITCHCOCK. Also, telegrams indicating the drafting of petitions with hundreds of signatures forwarded to the Senator from California [Mr. JOHNSON] against his position in the Senate.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

SAN FRANCISCO, CALIF., October 17, 1919.

Senator GILBERT M. HITCHCOCK,
Senate Office Building, Washington, D. C.:

To-day mailed 829 names on petition to JOHNSON. Congratulations on Shantung vote.

WOMAN'S LEAGUE FOR PEACE TREATY.
MRS. RAY LYMAN WILBUR, President.
MRS. L. T. BOYCE, Secretary.

SAN FRANCISCO, CALIF., October 20, 1919.

Senator GILBERT M. HITCHCOCK,
Senate Office Building, Washington, D. C.:

To-day mailed 499 names on petition to Senator JOHNSON.

WOMAN'S LEAGUE FOR PEACE TREATY.
MRS. RAY LYMAN WILBUR, President.
MRS. L. P. BOYCE, Secretary.

Mr. HITCHCOCK. Also a brief article by Chief Justice Frank M. Angellotti, of the Supreme Court of California, on the subject of the vote of the British Empire compared with the vote of other nations.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

THE "SIX TO ONE VOTE" OBJECTION TO THE TREATY.

[By Frank M. Angellotti, Chief Justice of the Supreme Court of California.]

"Much of the opposition to the ratification of the treaty is based on the claim that the British Empire is given by the provisions of the covenant of the league of nations six votes to the one vote of the United States of America. This claim rests on the fact that Canada, Australia, South Africa, New Zealand, and India are all members of the league. It is, of course, impossible to conceive of any effective league without the participation of such self-governing dominions as Canada, Australia, New Zealand, and South Africa. At the same time all of the five are, in a sense, integral parts of the British Empire, and if it were true that by reason of the vote they are given as separate units, the interests of America may be substantially prejudiced, no real American could approve the proposed compact as it stands.

"Careful consideration of the provisions of the covenant, however, demonstrates that there is no possible prejudice to America therein.

"The functions of the league are to be exercised by the council and the assembly.

"It is only in the assembly, where each member of the league has one vote, that any of these dominions or colonies of the British Empire has a vote, or ever can have a vote without the consent of the United States of America. No one of them is now entitled to a vote in the council, which will consist solely of representatives of the principal allied and associated powers (the United States of America, the British Empire, France, Italy, and Japan), and, until other selections by the assembly, the representatives of Belgium, Brazil, Spain, and Greece, each

nation being entitled to one vote only (art. 4, covenant). In place of any of the last four named nations the assembly may from time to time select other members of the league for representation in the council, but a unanimous vote of the assembly is essential to any such selection. This is so because article 5 of the covenant provides that except where otherwise expressly provided in the covenant or by the terms of the treaty, decisions at any meeting of the assembly or of the council shall require the agreement of all the members of the league represented at the meeting. It is not otherwise provided as to such selections. The United States is a member of and has a vote in the assembly, and consequently there can be no such selection without her consent. Again, with the approval of the majority of the assembly, the council may name additional members of the league whose representatives shall always be members of the council. This must be done by the council by unanimous vote. Obviously America's consent is here essential. Again, the council may increase, with the approval of the majority of the assembly, the number of members of the league to be selected by the assembly for representation on the council. Here, too, the selection by the assembly must be by unanimous vote. (See art. 4, covenant.) These are all the provisions as to membership in the council. It is perfectly plain that without the consent of America neither Canada, Australia, New Zealand, South Africa, nor India, nor indeed any member of the league other than the nine now specified in article 4, can ever be represented in the council, except as the five just named are represented by the British Empire with its one vote.

"We come, then, to a consideration of how we can be prejudiced by these votes in the assembly. Here, again, it is obvious that in all matters in which a unanimous vote is required we can not be injured, as our one vote therein amounts to an effective veto of action. What may the assembly do by less than a unanimous vote?

"1. By a two-thirds vote it may admit to membership in the league any fully self-governing state, dominion, or colony giving effective guaranties of its sincere intention to observe its international obligations, and accepting such regulations as may be prescribed by the league in regard to armaments, etc. (art. 1). It is evident that the addition of a new member even against our vote, a most improbable contingency, could not prejudice us, if by the vote of such member, when in, nothing of importance can yet be done, unless we by our own vote consent thereto.

"2. By a majority vote it may regulate all matters of procedure at its meetings, including the appointment of committees to investigate particular matters. (Art. 5.) These matters are manifestly unimportant.

"3. As already noted, it may, by a majority vote, approve the unanimous selection by the council of additional members of the league, whose representatives shall always be members of the council; and by majority vote may approve unanimous action by the council increasing the number of members of the league to be unanimously selected by the assembly for representation on the council. Obviously our vote is required for any action.

"4. By a majority vote it may indicate its necessary approval of the unanimous selection by the council of any successor to the person named in the covenant as the first secretary general of the league, or any subsequent incumbent of that office. The secretaries and staff of the secretariat are appointed by the secretary general with the unanimous approval of the council. (Art. 6.) Here again our vote is required.

"5. By a majority vote it may ratify such proposed amendments to the covenant as are unanimously ratified by the members of the league whose representatives composed the council. (Art. 26.) Again our vote is required.

"If there be anything in any of these matters by which we may be prejudiced by the votes of Canada, Australia, New Zealand, South Africa, and India, it certainly is not apparent.

"In only one other instance can the assembly do anything by less than a unanimous vote. In the event of a dispute between members of the league likely to lead to a rupture, which is not settled and as to which the parties do not agree to a submission to arbitration, to a tribunal agreed upon by them, as they undertake to do by the terms of the covenant wherever the dispute is of such a nature as to be suitable for submission to arbitration, and as to which the council, to which the matter may then be submitted for consideration, either on its own motion or at the timely request of either party, makes a reference to the assembly, the assembly may, with the concurrence of the representatives of all the members of the league represented on the council and of a majority of the other members of the league, 'exclusive in each case of the representatives of the parties to the dispute,' make and publish a report containing a

statement of the facts of the dispute and the recommendations which are deemed just and proper in regard thereto. (Art. 15.) The same thing is true as to a dispute between a member of the league and a State not a member of the league, and between States not members of the league. As to the immediate question under consideration, it is manifest that where we are not a party to the dispute, being a member of the league represented on the council, our concurrence is essential to any report of the assembly, for it is so expressly provided. And if Canada, Australia, New Zealand, South Africa, and India are parts of the British Empire, as is conceded, wherever one of them or the British Empire itself is a party to the dispute, it would seem that all of them are necessarily parties to the dispute, and that none of them can have a vote in the matter of such report, for the language excludes 'the representatives of the parties to the dispute.' This certainly is a plain, common-sense construction of the provisions of the covenant, and the one all the members of the league will doubtless insist on in any possible dispute with the British Empire or any of its dominions or colonies. So that in any possible dispute between us and the British Empire or any of its integral parts which may finally be referred to the assembly for a report, while our vote is excluded, so likewise are the six votes of the British Empire and its five constituencies. It may safely be assumed, I take it, that as to any dispute between us and some other member than these, which may be so referred for a report, there can be nothing other than advantage to us in the participation as separate voting entities of Canada, Australia, South Africa, and New Zealand. In any event it would seem that a complete answer to any objection based on the existence of these so-called extra votes in the assembly in the matter of the report to be made, is to be found in the fact that, regardless of who are the parties to the dispute, the report of the assembly to be effective for any purpose must be concurred in by the representatives of every one of the members of the league represented on the council, exclusive of the parties to the dispute, exactly as in the case of a report of the council.

"Moreover, it is most unlikely that any dispute to which we may be a party will ever be referred to the assembly for a report. The first obligation imposed by the covenant in case of such a dispute is to seek a settlement by arbitration, the agreement of all the members being to submit the subject matter to arbitration by a court of arbitration, agreed on by the parties or stipulated in any convention existing between them. In this connection the establishment of a permanent court of international justice is provided for, and to this court or any other tribunal agreed upon by the parties the matter may be submitted. It is only in the event that a submission to arbitration is not agreed upon that the matter is to be submitted to the council of the league. Such a submission is effected by any party to the dispute giving notice of the existence of the dispute to the secretary general. When it is so submitted the first duty of the council is to endeavor to effect a settlement of the dispute. If it succeeds in doing this, of course, the matter is ended. If not so settled, the council may make a report, which to be effective for any purpose whatever must be unanimously agreed to by the members thereof other than the representatives of one or more of the parties to the dispute, or it may refer the dispute to the assembly; and it must so refer it when either party to the dispute so requests within 14 days after the submission of the dispute to the council.

"Furthermore and most important: The only effect of an effective report by either council or assembly is as follows: The report must contain a statement of the facts of the dispute and the recommendations which are deemed just and proper in regard thereto. 'The members of the league (including, of course, the disputants) agree that they will not go to war with any party to the dispute which complies with the recommendations of the report.' (Art. 15.) Should any member of the league resort to war in disregard of its obligations in this behalf it will be deemed to have committed an act of war against all other members of the league, who undertake to then proceed in the manner provided in article 16. Only if the disputant resorts to war with another party which has complied with the recommendations of the report is there any action against it by the other members of the league based on the report.

"In the light of these facts, does it not seem that the objection we have discussed is entirely without substantial merit, and that it affords no good ground for the rejection of the treaty as it now stands, as is in effect proposed by an attempted amendment favorably reported by a majority of the Senate Committee on Foreign Relations?"

Mr. ROBINSON. I present a resolution adopted by Centerville Camp, No. 14439, Master Woodmen of America, of Hope,

Ark., touching the ratification of the league of nations, which I ask may be referred to the Committee on Foreign Relations.

The PRESIDENT pro tempore. Without objection, it will be so referred.

RAILROAD CONTROL.

Mr. LA FOLLETTE. Mr. President, on yesterday, as appears by the RECORD this morning, the chairman of the Committee on Interstate Commerce reported the bill for the return of the railroads to private interests, and stated that he was authorized by the committee to make the report. As there was no morning hour I had no notice of the fact that the report was to be presented on yesterday. Otherwise I would have been present, and would have stated that the report was not a unanimous one from the committee; that I dissent from the report; and that I shall at such time as the written report is filed by the chairman of the committee ask leave to file as a minority my views in dissent. I shall at the appropriate time present a substitute proposition to that reported by the committee.

The PRESIDENT pro tempore. The Chair ought to state that the present occupant of the chair as chairman of the Interstate Commerce Committee in presenting the bill stated that later there would be both a majority and a minority report.

Mr. PHELAN. I have a telegram from railroad interests in California affecting the railroad bill before the Senate which I desire to have printed in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

LOS ANGELES, CALIF., October 15, 1912.

HON. JAMES D. PHELAN,
Senate, Washington, D. C.:

Electric railways in California are unanimous and very earnest in conclusion that legislation related to return of steam railroads to private control should not include interurban and street railway system in any manner, even though some of them may, as incidental to their other business, be engaged in interstate traffic. We, of course, as connections of steam roads expect to be controlled with respect to interstate rates and safety-appliance acts, as we are now, but national legislation as otherwise proposed will not help and is apt to harm us greatly. Our revenues, whether we do interstate business or not, are dependent to the extent of 90 per cent or more upon traffic purely local to our lines, and in many cases 100 per cent. So dependent rates, upon which we live without exception, are dependent upon local conditions, including motor-vehicles competition, franchise obligations, State and city control, and attitude of public; and while you can not help us in such matters by national legislation, you may harm greatly through other measures in your bill. A highly important industry, already finding it difficult to live, the conditions on the electric lines that have interstate business are apt, in large measure, to control conditions on those that do not, and so we feel we have one common interest in asking that all interurban and street railways be excluded.

Bakersfield & Kern Electric Railway; Central California Traction Co.; Fresno Traction Co.; Glendale & Montrose Railway; Humboldt Transit Co.; Los Angeles Railway Corporation; Sacramento Northern Railroad; Oakland Antioch & Eastern Railway; Pacific Coast Railway; Pacific Electric Railway Co.; Pacific Gas & Electric Co.; Peninsular Railway; Petaluma & Santa Rosa Railway; San Diego & Arizona Railroad; San Diego Electric Railway; San Francisco, Napa & Calistoga Railway; San Francisco-Oakland Terminal Railways; San Jose Railroads; Santa Barbara & Suburban Railway; Stockton Electric Railroad; Union Traction Co.; United Railroads of San Francisco; Visalia Electric Railroad. (Twelve California electric railway associations.)

JAPANESE IMMIGRATION.

Mr. PHELAN. I also present a resolution of the Native Sons of the Golden West, Colusa Parlor No. 69, of Colusa, Calif., protesting against the present conditions of the immigration of Japanese to this country, which I ask may be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

"Whereas we are deeply and vitally interested in the advancement of the State of California and the welfare of the people; and

"Whereas the Japanese and Hindu population in California is increasing rapidly; and

"Whereas these people will always remain in our midst an alien element, unassimilated and unassimilable; and

"Whereas their presence here lays the foundation for a race problem more serious than any that ever confronted us and may lead to armed conflict, which may again involve the world, since at least one of these races will be backed by a proud and war-like nation; and

"Whereas the only way to solve a race problem is to stop it before it begins; and

"Whereas the most feasible way to stop it is the prohibition of immigration from oriental countries: Now therefore be it

"Resolved by Colusa Parlor, No. 69, Native Sons of the Golden West, That our Senators, HIRAM W. JOHNSON and JAMES D. PHELAN, and our Representative, CLARENCE F. LEA, be asked to use their best and utmost endeavors in favor of the following proposition, to wit:

- "1. Cancellation of the 'gentlemen's agreement.'
- "2. Exclusion of 'picture brides.'
- "3. Rigorous exclusion of Japanese as immigrants.
- "4. Confirmation and legalization of the policy that Asiatics shall be forever barred from American citizenship.
- "5. Amendment to section 1 of Article XIV of the Federal Constitution providing that no child born in the United States of foreign parents shall be considered an American citizen unless both parents are of a race that is eligible to citizenship.

"Be it further resolved, That a copy of this resolution be sent to each of said Members of Congress.

[SEAL.] "NATIVE SONS OF THE GOLDEN WEST,
"COLUSA PARLOR, No. 69.

"Attest:

"W. G. DANSON, Recording Secretary."

THREATENED COAL STRIKE.

Mr. THOMAS. I have been requested to ask permission to have inserted in the RECORD three telegrams from my State relating to the present coal strike.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

DENVER, COLO., October 20, 1919.

Hon. CHARLES S. THOMAS,
United States Senate, Washington, D. C.:

The demand of the coal miners for a 60 per cent increase in wages and a reduction in working hours at the mines from 48 to 30 hours per week will mean a heavy increase in cost of coal to the consumers and industries which they can ill afford, and the reduced production of coal due to fewer hours worked will cause a shortage of coal that will result in suffering to every community in the country. There is not enough coal produced now to take care of the present demand. With the entire winter before us, we sincerely trust you will use your good offices in trying to prevent such a calamity by vigorously opposing a strike, opposing any increase in wages to the men at the mines, or any decrease in the present working hours.

THE UNITED STATES PORTLAND CEMENT CO.

DENVER, COLO., October 20, 1919.

Hon. CHARLES S. THOMAS,
United States Senate, Washington, D. C.:

The threatened coal strike will mean nation-wide suffering, and the demands made by coal miners for a 30-hour week and 60 per cent increase in wages will increase the cost of coal to a figure that will curtail industry seriously and will increase the cost of necessities enormously. Can you use your influence to avert strike, especially in view of the fact that present wages for mine labor are now way above the value of the returns to society? It would seem that it is time to control the labor skates who are responsible for unwarranted propaganda as to the horrible condition of the laborer and the absolute unfairness of the employer. Compel the union to incorporate before dealing with them, and thereby create responsibility under the laws the same as other bodies.

WESTERN CHEMICAL MFG. CO.

DENVER, COLO., October 21, 1919.

Hon. CHARLES S. THOMAS,
United States Senate, Washington, D. C.:

The threatened coal strike will mean nation-wide suffering and closing down of all industries. The demands made by coal miners for a 30-hour week and 60 per cent increase in wages will raise the price of coal to a figure that will be prohibitive and at the same time curtail the production of many million tons annually. There is not enough coal produced now under eight hours per day worked at the mines to take care of the present demand. With the entire winter before us, every individual and industry is vitally interested, for the result will be an enormous increase in the cost of all the necessities of life. We sincerely trust you will use your influence to avert strike and to oppose any settlement that would result in an increased cost of coal to the consumer or any change in present working hours at the mines, in view of the fact that present wages for mine labor are commensurate with present living costs and the eight-hour day is a very reasonable workday.

THE DENVER MRS. ASSN.

Mr. WARREN. I ask to have one telegram of five lines read and the signatures of several others given that refer to the same subject.

The PRESIDENT pro tempore. If there be no objection, the Secretary will read.

The Secretary read as follows:

CASPER, WYO. October 23, 1919.

Hon. F. E. WARREN,
United States Senate, Washington, D. C.:

As business men of Wyoming and in the interests of commercial life of America we urge and earnestly bespeak your influence to avert threatened coal strike as we feel that the consequences of such strike would only spell ruin to business. We are short 3,000 tons now.

NATRONA FUEL CO.

Mr. WARREN. I have differently worded telegrams but referring to the same subject from the Casper Coal & Coke Co., a large operator named W. R. Johnson, the Natrona Power Co., the Natrona Fuel Co., the National Supply Co., and an individual coal owner by the name of George Stilphen, and also from the Bennett Oil Co. and the Leidecker Tool Co., which I ask may be printed in the RECORD.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

CASPER, WYO., October 23, 1919.

Hon. F. E. WARREN,
United States Senate, Washington, D. C.:

As citizens and business men of Wyoming and in the interests of the commercial and social life of America, we urge and earnestly bespeak your influence to avert the threatened coal strike, as we feel that the consequences of such a strike would spell ruin to business.

CASPER COAL & COKE CO.

CASPER, WYO., October 23, 1919.

Hon. F. E. WARREN,
United States Senate, Washington, D. C.:

As citizens and business men of Wyoming and in the interests of the commercial and social life of America, we urge and earnestly bespeak your influence to avert the threatened coal strike, as we feel that the consequences of such a strike would only spell ruin to business.

W. R. JOHNSON.

CASPER, WYO., October 23, 1919.

Hon. F. E. WARREN,
United States Senate, Washington, D. C.:

As citizens and business men of Wyoming and in the interests of the commercial and social life of America, we urge and earnestly bespeak your influence to avert the threatened coal strike, as we feel that the consequences of such a strike would only spell ruin to business.

NATRONA POWER CO.

CASPER, WYO., October 23, 1919.

Hon. F. E. WARREN,
United States Senate, Washington, D. C.:

As citizens and business men of Wyoming and in the interests of the commercial and social life of America, we urge and earnestly bespeak your influence to avert the threatened coal strike, as we feel that the consequences of such a strike would only spell ruin to business.

NATIONAL SUPPLY CO.

CASPER, WYO., October 23, 1919.

Hon. F. E. WARREN,
United States Senate, Washington, D. C.:

As citizens and business men of Wyoming and in the interests of the commercial and social life of America, we urge and earnestly bespeak your influence to avert the threatened coal strike, as we feel that the consequences of such a strike would only spell ruin to business.

GEO. STILPHEN.

CASPER, WYO., October 23, 1919.

Hon. FRANCIS E. WARREN,
United States Senate, Washington, D. C.:

In behalf of the people of the State of Wyoming, we respectfully request that you exert your influence toward effecting a settlement between the coal miners and operators, to the end that the impending strike and consequent suffering may be averted.

BENNETT OIL CO.

CASPER, WYO., October 23, 1919.

Hon. F. E. WARREN,
United States Senate, Washington, D. C.:

As citizens and business men of Wyoming and in the interests of the commercial and social life of America, we urge and earnestly bespeak your influence to avert the threatened coal strike, as we feel that the consequences of such a strike would only spell ruin to business.

LEIDECKER TOOL CO.

UNITED STATES PATENT OFFICE.

Mr. ROBINSON. I desire to have printed in the RECORD a letter which I have received from George P. Kimmel, a patent attorney residing in the city of Washington, relating to the condition of the business in the Patent Office. I call the attention of the chairman of the Committee on Patents to the contents of this communication. I will not ask that it be read, but I do ask that it be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

WASHINGTON, D. C., October 23, 1919.

Hon. JOSEPH T. ROBINSON,
United States Senate, Washington, D. C.

DEAR SIR: I write you about a matter that is of vital importance to the country as a whole and to many of your constituents in particular. As an attorney having a large practice before the United States Patent Office, I am in a position to know whereof I speak. When I say that conditions in the Patent Office are simply terrible and constantly growing worse, I am not stating the facts too strongly.

This is a matter over which the Commissioner of Patents certainly has no control, but it is something that must be put squarely up to Congress. It is something that patent attorneys, inventors, and manufacturers throughout the United States are even more vitally interested in than the Commissioner of Patents and the employees in that branch of the Government service.

Because a committee of Congress fails to realize the vital importance of this branch of the service is no reason why the matter should be dropped there. The situation plainly is that some of the very best men in the Patent Office have resigned and others will resign to accept positions which will amply compensate them for the use of their extraordinary knowledge and experience. I am sure that the details of the lamentable situation that this is creating in the Patent Office can be obtained from the proper officials thereof. Taking one instance alone, that of the division which issues certified copies of patents, and they are seven months behind with their work. This means, in a great many cases, that inventors filing applications in Great Britain are compelled to pay a fine of \$11 because of their inability to file certified copies of their patent with the foreign application within the time limit prescribed by the British patent laws, while others may lose their foreign rights entirely by reason of this delay. The matter of procuring copies of patents cited in connection with searches or pending applications is absolutely exasperating to attorneys who must practice before the Patent Office. The other branches of the service are equally handi-

capped simply because Congress fails to appreciate the situation and meet it promptly and in an effective manner.

Something must be done! That something must be done immediately! In the interest of your constituents—attorneys, inventors, and manufacturers—won't you please lend your aid in this direction?

Very respectfully,

GEO. P. KIMMEL.

CONFIRMATION OF ADMIRAL ROBERT E. COONTZ.

Mr. POINDEXTER. I ask unanimous consent to submit a report from the Committee on Naval Affairs as in executive session. I report favorably the nomination of Robert E. Coontz, to be Chief of Naval Operations in the Department of the Navy. I ask unanimous consent for its immediate consideration and confirmation and that the President be notified.

The PRESIDENT pro tempore. Is there objection? Without objection, the report will be received. The Secretary will state it.

The Secretary read as follows:

Rear Admiral Robert E. Coontz, United States Navy, to be Chief of Naval Operations in the Department of the Navy, with the rank of admiral, for the term of four years.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed and the President will be notified.

SEDITIONARY UTTERANCES BY STRIKERS.

Mr. HARDING. I send to the desk for printing in the Record a series of resolutions adopted by the Youngstown (Ohio) Chamber of Commerce, calling the attention of the Department of Justice to certain inflammatory revolutionary utterances made among the steel strikers of Youngstown without any governmental interference or restriction whatsoever. With the resolutions are certain quotations from these utterances which I think ought to be made a matter of record.

The PRESIDENT pro tempore. Without objection, the matter will be printed in the Record.

There being no objection, the matter referred to was ordered to be printed in the Record, as follows:

Whereas certain meetings have been held in the city of Youngstown recently consisting of alleged radical elements; and
Whereas such meetings have been addressed by openly avowed Bolshevik representatives; and
Whereas the spreading of Bolshevik propaganda by such addresses is to develop a dangerous condition in the already inflamed minds of the particular element likely to attend such meetings; and
Whereas in view of the existing steel strike it is regarded as detrimental to the interests of the community as a whole to have such meetings occur with speakers repeatedly spreading the violent Bolshevik propaganda; therefore be it

Resolved, That the Department of Justice of the United States be urged to take immediate cognizance of this condition and to have its representatives at Youngstown attend meetings of this character and to suppress all further possibilities through prosecution of speakers publicly preaching the Bolshevik doctrines, which are openly and without equivocation of the most violent and seditious nature.

THE YOUNGSTOWN CHAMBER OF COMMERCE,
PAUL J. JONES, Vice President.
FRED A. LABELLE, Secretary.

EXTRACTS OF SPEECHES MADE AT RESCH'S HALL, WEST FEDERAL STREET, OCTOBER 9 AND 15, 1919.

The object of these meetings, according to the assertions of the speakers, is to organize the workmen for the purpose of taking forcible possession of the industries of the country and overthrowing the Government. The following extracts from speeches made at these meetings are submitted as proof of their intentions:

"With the flame of the steel strike burning we will soon have fresh fuel added to our red fire by the coal miners' strike and then the railroad workmen will strike and help to keep the fires burning."

"Socialism is dead. This is a revolutionary organization. This movement is spreading all over the world, and we are going to overthrow all capitalistic governments."

"I am glad that they look upon me as a Bolshevik. I am looking for something to burst in the American Federation of Labor, and then Samuel Gompers will be sent the way of all kings and others who have betrayed the working class."

"When the time comes we are going to march into these mills and take possession of them, and we will run them to suit ourselves."

"The people are now receiving their pay for their loyalty and patriotism to the United States Government during the war. At Gary, Ind., they are putting the people into stockades with barbed wire on top. Your pay day will come in Youngstown when they send in the soldiers and plant machine guns on the corners of the streets."

THE HOUSING PROBLEM.

Mr. WADSWORTH. Mr. President, I ask that an address delivered by my colleague, Senator CALDER, at the sixteenth annual convention of the Real Estate Association of New York State on Saturday morning, October 18, be printed in the Record. This address has to do with a most important problem, namely, the housing problem, which my colleague has studied very carefully and it contains an excellent résumé of the situation. I ask that my colleague's address be printed in the Record.

The PRESIDENT pro tempore. Without objection, it will be printed in the Record.

Senator CALDER's address is as follows:

ADDRESS OF SENATOR CALDER AT THE SIXTEENTH ANNUAL CONVENTION, REAL ESTATE ASSOCIATION OF NEW YORK STATE, HOTEL MCALPIN, NEW YORK CITY, ON THE MORNING OF SATURDAY, OCTOBER 18, 1919.

THE HOUSING PROBLEM.

"In discussing the housing problem as it affects the United States, we must note that 'it is a condition, not a theory, that confronts us.'"

"This condition, stated in the simplest and most direct terms, is that the United States lacks approximately 1,000,000 dwellings to meet the normal needs of the population; that abnormal conditions in business, due in a large part to the war and governmental interference with the natural course of trade and business, has turned from the building industries the money usually invested therein, the result being growing congestion of population, increasing taxation, and higher rents, with no relief in sight through any of the usual agencies of business."

"In addressing the United States Senate on August 9, 1919, I stated the situation, as I saw it, in the following language:

"During the war the policy of the Government was to divide its work among the different concerns in the same line in proportion to their capacity to perform. There was a fixed price and a fixed profit. There was little or no competition. It was, as the President has put it in dealing with our labor troubles, a matter of collective bargaining. The prices of a given article were practically the same, no matter from where or by whom quoted. To-day one must pay practically the same price for what he buys, no matter who sells it to him."

"During the war we abolished the economic law of competition and in its place have created a system of cooperation, where men in every line of industry are assured a profit on their output. This is all very fine in theory, but what about the ultimate consumer? The man who builds houses to-day not only competes with other men who have old houses for sale, houses built when prices for the material and labor that went into them were little over half what they are at present, and while this era of high prices has made large profits for those who were wise enough to purchase houses under old-price conditions, the man who builds houses to-day runs a great risk of having difficulty in disposing of them unless they are unusually attractive and different in type from those built in prewar times."

"Referring to my remarks on the subject in the Senate during the year previous, I also stated as follows:

"I pointed out then that the action of the Treasury Department and the Federal Reserve Board in discouraging the loaning of money for building purposes would bring on a situation that by this year would be exceedingly difficult. Building was also discouraged by the War Industries Board; in fact, that board, over my protest, issued an order, which was generally obeyed, prohibiting building of every character without a permit from that board. Their object was, of course, to utilize the funds that would ordinarily go into building construction for the purchase of Liberty bonds and other war purposes. The War Industries Board also insisted that the material necessary for the construction of houses could not be spared and that the labor necessary for the same could be better utilized in manufacturing material for the Army and Navy abroad. I insisted that while every possible effort should be put forth to obtain for the Nation everything needed to carry out the war program, it was entirely unnecessary for us to break down the whole fabric of the building industry to carry out this purpose. I called the Senate's attention to this condition in detail, and I advised the War Industries Board that the complete destruction of our building organization would undoubtedly work havoc in the future. The results indicate that the statements I then made were entirely correct, for when the war was over and those who had been engaged in building pursuits resumed their operations they were compelled to organize from the ground up. As a result we have had inefficient help in many of these plants during the present year."

"Because of these governmental acts to-day's housing situation was inevitable. Man, in his wisdom, makes the attempt to interfere with the laws of trade. He has never been successful, no matter how often or in what fields he makes the endeavor. Neither does he learn by his experience; and so it comes about that in the first quarter of the twentieth century we find man setting out to contravene the law of supply and demand, with the usual results of throwing the business world into convulsions, entailing a long period of readjustment, with its trouble and suffering."

"At the time of the Civil War statesmen of the day thought it possible to escape the difficulties due to the scarcity of coin by the legal-tender act, which, after having been once declared unconstitutional by the Supreme Court, was afterwards given a legal standing by what is now generally conceded to have been a forced construction of our fundamental law. Future generations will pass their verdict upon the action of governmental authority during our recent war, and while they may not find any contravention of the laws set forth in the statutes they will decide what they did might have been done with less disturbance and upsetting of business and trade."

"Are statistics needed to substantiate the claim that there is a scarcity of dwelling construction? If so, take the figures showing the amount of money spent for dwellings in the three largest boroughs of Greater New York. It can be shown that even so late as the year 1916 the money spent for dwelling houses in the boroughs of Manhattan, Brooklyn, and The Bronx amounted to more than \$76,000,000. As is well known, even that expenditure failed at that time to meet fully the increasing

demand, so it must be evident that the failure was greater during 1917 and 1918, when the expenditure for the two years combined was about \$29,000,000. Of this comparatively small sum about \$10,000,000 was spent in 1918, so that when the armistice was signed New York was spending \$10 for new dwelling houses where, in 1918, it was spending \$76.

"With this tremendous diminution in accommodations for shelter, there is an increase in the population, thus producing an enormous strain upon the existing accommodations, creating a contest among occupants for the needed space which would of itself produce a rise in rent. In addition to this the costs of administration, paid chiefly through taxes on real estate, have also increased. To meet these increased charges additional taxes had to be laid on old buildings, which addition the landlord passes on to the tenant in the form of higher rent, and as a consequence we have such spectacles as are seen almost every day in the great metropolis—rent riots.

"A momentary consideration of the figures available shows that it is probable that the yearly expenditures during normal years for real estate improvements throughout the country approximates \$3,500,000,000. If, as seems to be the case, the expenditures for last year for new construction were less than \$300,000,000, it does not take much of an accountant to figure the gross loss and to show the increasing pressure upon existing accommodations.

"Statistics are available as to the number and amount of real estate mortgages placed upon New York property during the war years. From these it appears that from 1905 to 1914, inclusive, the average number of mortgages each year was 42,969, whereas the average number during the four years, 1915, 1916, 1917, and 1918, was 5,461; or about 12½ per cent of the average for the value of real estate mortgages placed in the boroughs of Manhattan, Brooklyn, and The Bronx, was \$471,978,874, while the average value of the mortgages for the years 1915, 1916, 1917, and 1918 was \$44,831,550, less than 9 per cent of the average for the prewar years indicated.

"But consider the problem from any angle you please, we can not get away from the fact that there is a phenomenal scarcity of housing accommodations; that capital is not being attracted to this manner of investment in anything like normal measure; and that, unless something is done to change this tendency, we of this country are in a fair way of finding ourselves in the condition now said to exist in England, where people, unable to find other shelter, are living in caravans, house boats, tents, and in any kind of structure that can be erected with odds and ends of waste material. So serious is the situation there, the Government acts as if in panic, and is promising to make, and is making, strenuous efforts to meet the situation that are contrary to all the laws of supply and demand, and are laying the foundation for future trouble. The authorities are erecting dwellings without regard to their cost, which they propose to rent to tenants at any price the latter will pay, expecting to make up the ensuing deficiency by laying heavier taxes on the few who will have any property to be taxed.

"The trained business mind would find the correction for this difficulty with speed and certainty. A good business manager would tell his directors that they must immediately stimulate and encourage new business. He would not imitate the ostrich and, sticking his head into the sand, endeavor to blind himself to the situation as it is. Those of us who would try to correct the difficulty can not stand still. We have for years depended on the yearly increase in the amount of money spent in the building industry, and the only way to get it back again into the usual channels is to stimulate building activity now, so that a few years hence we will have doubled or tripled the usual income.

"For years builders have depended on banks and other loaning agencies for the money needed to carry on their functions, but now the banks, as well as other investors, find what they consider better methods of investing their money, so that much of the capital once depended upon for the building trades has been withdrawn and withheld from building loans and mortgages and put into other income-yielding activities. How extensive is this withdrawal and withholding is evidenced by the fact that if to-day the banks had invested in mortgage loans the same percentage of their resources as they did in 1913 we would have had placed in building operations one and one-half billion dollars more than was used for this purpose from 1913 until 1918.

"To make the investment in building loans and mortgages more attractive to investors and thus produce some of the funds which may be used to meet the housing needs of the Nation is the object of the proposed amendment to the income-tax law, provided by Senate bill 8094, which I have introduced, by which investment in mortgage loans to the extent of \$40,000 are exempted from the provisions of the law.

"Technically speaking, the Government is not giving anything if it makes the offer of the remission of taxes as provided in the bill. It is merely delaying their assessment. On the other hand, the investor is giving something to the State and the Nation in that he is adding at once to the general wealth billions of dollars worth of real property, and the Government is doing a stroke of good business, because, within a year or two, it will have an income of double or triple the amount of the remitted taxes when taxes upon rentals and new real estate begin to flow into the treasuries of the Nation and State.

"That there is an absolute necessity for encouragement of this kind is apparent when one considers the amount of taxation that is now placed upon real estate. It is claimed that at the present time nearly nine-twentieths of the total income from real estate investments is taken up by taxation, and when in addition to this certain drain is added the uncertainties of business conditions and possible changes in prices and wages, it is not to be wondered at that former lenders of money on real estate securities are putting their money into other channels. They are uncertain and afraid; they find themselves facing new problems; they say labor and wages may drop in prices and cause depreciation in values, and that they may have to lose 20 or 30 per cent of the present cost, and perhaps be left high and dry with a partly completed building.

"During the period of advancing costs many a mortgage lender has had the unsatisfactory experience of being obliged to step in and complete a project at greatly increased costs, and naturally he is not going to run the chance of experiencing the same difficulty again. He knows that if he does not advance money enough the project will fail, and he will have a partly completed building on his hands, and that if he advances a sufficient amount a drop in prices of material, labor, and so forth, would quickly place him in a position of holding a 100 per cent mortgage.

"Too many people whose duty it should be to consider the problems we are discussing, and the proper methods for solving the difficulties which present themselves, are inclined to assume a policy of watchful waiting. They say, 'Just let us wait until we have reached a normal level of prices; let us keep our hands off natural processes and allow the laws of trade and commerce to assert themselves and bring about an equilibrium.' There is in this attitude an assumption that prices will fall to something approaching the prewar level. This prospect is to some a hope; to others, a dread; to all, an uncertainty. But a study of the situation shows beyond a doubt that, so far as we can be guided by the history of the past, we are now on a new level of prices which, if there is no economic cataclysm, will endure for many years.

"During the war we called on 'professors' to help us out of our difficulties. Let us listen to what one of them says in relation to the question of decreasing costs. Prof. Irving Fisher, of Yale, is probably the most competent authority that America holds to-day, and his conclusion is this:

"Prices are not going to fall much, if at all.

"We are on a permanently higher price level, and business men should go ahead on that basis.

"There is little likelihood of a fall in prices in the United States. The gold reserve, which is now the basis of our currency, is not likely to leave the banks and return to general circulation, since this is contrary to monetary experience. No great outflow of gold is to be expected through international trade, since our exports are likely to exceed our imports in the reconstruction period, and we no longer will have large interest and freight payments to make to Europe. Prices are higher to-day in Europe than in the United States, and hence for the present at least no influx of cheap goods is to be expected. Further issues of bonds or Treasury certificates by our Government and loans placed by European countries in this country will tend to further increase our present credit structure. Against any considerable reduction in bank credits the whole business community would rise in arms.

"Business men of the United States need not hesitate to plan for an immediate period of business prosperity. No period of depression and no collapse of values need be feared. The man who goes full speed ahead will gain an advantage over his procrastinating competitor which will far outweigh any possible slight decline in the costs of production.

"From the above quotations it is evident that the many leaders of thought and industry in the United States have no fear for future trouble based upon the decline of values.

"Persons who find it to their interest to oppose the provisions of the tax-exemption bill make the claim that the proposed bill is a measure of State paternalism, and that we are forcing the Government to perform a function that would better be left to the initiative of the individual. In general, we are opposed to the interference of the Government in matters of this kind, but because it has interfered in times past and by this interference created the condition by which we are to-day confronted we feel that the State is bound to interfere yet again in an effort to correct the difficulties it has created. By the imposition of discriminatory freight rates on building materials, by preferential restrictions on delivery, and by removing the balance wheel of competition through guaranteed profits it has made the produc-

tion and transportation of building materials abnormally costly and in some cases practically impossible. Through the loans called for by the necessity of meeting the war expenses and by the exemptions from taxation granted to some of the bonds that represent these loans it has turned money that should naturally seek investment in building construction away from its natural course to channels where the returns are quicker and larger than they promise to be on a long-term mortgage loan.

"The object of the proposed amendment to the income-tax law is intended to remove some of the penalties attached to mortgage loans and to place such investments more nearly on a parity with the money that is seeking investment in Government loans and securities, and, in so far as the Government is asked to grant this concession, so far as it is allowable that it interferes with the ordinary and natural courses of business.

"Congress is also asked to give its sanction to what is known as 'the home-loan bill,' which I have introduced. The object of this proposed legislation is to allow building and loan associations to use as property the enormous sums now tied up in first-class real estate mortgages. The limitation of the services rendered by these building and loan associations is due to the lack of liquid capital behind them, and this lack is likely to grow greater rather than less for the same reasons that prevent money going into other real estate investments. It is interesting to note that during the 40 years of their service to the home builders of the United States who had no capital except an earning power, they have had practically negligible losses and have built up an enormously potential capital in their mortgages, which, because of their inability to discount at a reasonable rate, amounts to the sequestration of about \$2,000,000,000. It is the object of the home-loan bill to remove the prohibition of discounting and to turn this locked-up capital into industrial property.

"So far the emphasis has been placed upon the economic advantages to be secured through the passage of the two bills which I have mentioned. Important as these economic advantages are, they are, after all, the smaller part of the good that will accrue to the people and to the country through the assured stability of our political institutions. The main object of this proposed legislation is to enable the workingman to secure a home of his own. It is a truism of political economy that the land or home owner is the foundation on which the political stability of the Nation is founded. The most pessimistic thinker, as he looks over the world to-day, foresees political disaster for Great Britain, Germany, Italy, the United States, and, in fact, the whole world except France; and the one thing that gives the pessimist, as well as the fair-minded observer, assurance as to the future of France is the fact that nearly 80 per cent of its population is interested in the land as owners thereof. There are four families out of five living in their own homes, from which nothing, even the ravages of war, can separate them permanently. Were the United States in a similar condition we might smile at, or feel contempt for, all the disturbing and noisy elements that seem at the moment to threaten our social well-being. Bolshevism is a weed that will not flourish in communities of home owners. Where most of the people own their own homes, there you will find a refreshing spirit of common interest in the community, and a real, wholesome, patriotic, and zealous support of American traditions and ideals.

"It has been pointed out that the United States has been at war on an average of once in 20 years since the Constitution was adopted, and that the object of each of these wars has been, in the last analysis, to preserve the home. Yet we find that to the majority of people in this country 'home' means little more than a dwelling for which they are paying rent. This situation is bad enough, but what is worse in the situation is that the percentage of these rent payers is growing with each enumeration. In 1890 we were advised that 52 per cent of the people in America lived under the rental system; that in 1910 the percentage had increased to 55; and that probably the census of 1920 will show that fully 60 per cent of the people will be classed as tenants. If it is the case to-day that but 40 people out of a hundred live in their own homes, and that the increase, small as it is, will continue, it is fair to conclude that 25 years hence less than one-third of the population of the United States will be outside of the tenant class. A common interest in the Nation's wealth and the widest distribution of real property are absolutely essential to our national well-being, and these essentials are not to be looked for among a population three-quarters of whom are at the mercy of landlords. Tenantry is a poor substitute for the real home, as it leads neither toward independence and responsibility nor toward community association, which is as necessary for the poise and development of the adult as it is for that of the child.

"Normal home and community life best assures the health, recreation, development, and independence of the family, and,

while the figures show that the normal or usual life of the family is spent in a hired home, it is understood by everybody who thinks that such a condition is abnormal. The tenant, no matter how long he remains on the land or in a community, is losing the 'unearned increment.' He is living in surroundings marred and depreciated by others. By changing from one community to another he deprives himself and his family of permanent acquaintances and friendships. This brings about an unsettled and discontented state of mind, induces unproductiveness, leads to waning power and lower wages, and a gradual descent in the social scale, all of which would be avoided if the family lived in its own home. 'Be it ever so humble.'

"The agencies that are striving for moral uplift along the lines of Christian missionary work recognize the folly of preaching religion to a hungry, homeless man. The first move is to feed him and then get him placed in one spot where he can be reached for further effort. It is equally foolish and useless to preach economy, prudence, and the obligation of citizenship to the workman if he belongs nowhere and is not permanently attached to the community by ownership of the home in which he lives. Unless he is so attached he can not be said to really belong there, no matter how good may be his financial condition. In the long run a 'poor' home owner is a better asset to a community than a rich and transient tenant.

"If the object of government is to do the greatest good to the greatest number, is there any effort that promises greater results than in providing that it should be within the power of every man who is able to earn a day's wage and who wants to own his home, that he should be able to own his own home, that he may become an important factor in his community, so that the growth and development of the community shall be his aim because its well-being will redound to his own profit and benefit?

"The United States, like France, must either develop a home-owning instinct or a housing movement like England. This home-owning instinct may be helped forward through governmental aid, through preferential freight rates, through banking legislation and bills such as I have described, and encouragement of standardization of building materials. These governmental aids at this time will produce increased homes whose value will more than offset their cost.

"Or the Government may, on the other hand, wait for the situation to become worse and eventually be obliged to follow the example of England and provide housing at normal rentals, with the corresponding demoralization and pauperization of its people. The best way to help a man is to help him to help himself. This is the sentiment of the man who will make the best citizen, and in providing such help the Government can depend upon the support and applause of the best element of American citizenship."

SACCHARIN IN FOOD.

Mr. GAY. Mr. President, in the Washington Post this morning there is a half-page advertisement on the use of saccharin in food. Recently before the Senate Committee on Agriculture and Forestry Dr. Carl L. Alsberg, chief of the Bureau of Chemistry, Department of Agriculture, made a statement with respect to the use of saccharin. I have also a letter from Dr. Alsberg on this subject and a further article taken from the Washington Herald, which I ask, together with the statement and the advertisement to which I have referred, may be placed in the RECORD.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

UNITED STATES DEPARTMENT OF AGRICULTURE,
BUREAU OF CHEMISTRY,
Washington, D. C., October 23, 1919.

HON. EDWARD J. GAY,
United States Senate.

DEAR SENATOR GAY: In compliance with the request of your secretary over the telephone, I beg to transmit herewith food-inspection decisions Nos. 135 and 142, issued by the Department of Agriculture in 1911 and 1912. Saccharin is a coal-tar drug. As you will see from the decisions, the department regards its use in food as a menace to health. This is the position of the department to-day, as it was in 1911. There has been no scientific evidence adduced, of which I am aware, on the basis of which the department would be justified in any manner in altering its position. Indeed, the department has evidence in confirmation of the position taken in 1911, which was not then available.

The department regards food to which saccharin has been added as adulterated in two respects. It regards it as adulterated since a substance has been added to the food which may render it deleterious to health. It regards it as adulterated in that a substance of no food value whatever has been substituted

for sugar, a very valuable food. The department now has pending a criminal prosecution against the Monsanto Chemical Co., which will be brought to speedy trial for the shipment interstate of a parcel of saccharin labeled as harmless. The department, moreover, has prosecuted, in all cases successfully, a number of manufacturers of food products for the substitution of saccharin for sugar. The food and drugs act does not contemplate the restriction of the traffic of any drug, however harmful, if unadulterated and properly labeled. It furthermore has no jurisdiction over representations that may be made in various types of advertising.

Furthermore, I beg to point out that a majority of the States prohibit the use of saccharin in food, either by statute or by regulation.

Aside from any question of deleteriousness, I believe the unrestricted use of saccharin to be contrary to public interest. Its use is not, as is frequently urged, a measure of economy. Its use is really extravagance. Sugar is a food, but saccharin has no food value. If one does without sugar and spends part of the money thus saved for saccharin, one will eventually have to spend the remainder, and possibly more, for some other food, to make up for the lack created by the absence of sugar, a concentrated food. If one considers that a not inconsiderable proportion of the people are forced to live continuously close to the starvation line, one must realize that no part of their essential diet can be decreased with safety. To encourage them to waste any portion of their inadequate resources upon an adulterated food of no food value is an economic fallacy.

Therefore, the substitution of a flavoring drug for a valuable food is not only contrary to the public interest, because it is uneconomical, but also because of the inroad it may make upon the health of the Nation. Finally, there are to-day available upon the market a considerable number of sugar substitutes equal in food value to sugar and quite unobjectionable. I refer to the various types of malt sirup and other sirups that are being placed, in ever-increasing quantity, upon the market.

Respectfully,

C. L. ALSBERG, *Chief.*

Inclosures: F. I. D. Nos. 135 and 142.

[F. I. D. 135. Issued Apr. 29, 1911. United States Department of Agriculture, office of the Secretary. Food inspection decision 135.]

SACCHARIN IN FOOD.

At the request of the Secretary of Agriculture, the Referee Board of Consulting Scientific Experts has conducted an investigation as to the effect on health of the use of saccharin. The investigation has been concluded, and the referee board reports that the continued use of saccharin for a long time in quantities over three-tenths of a gram per day is liable to impair digestion; and that the addition of saccharin as a substitute for cane sugar or other forms of sugar reduces the food value of the sweetened product and hence lowers its quality.

Saccharin has been used as a substitute for sugar in over 30 classes of foods in which sugar is commonly recognized as a normal and valuable ingredient. If the use of saccharin be continued it is evident that amounts of saccharin may readily be consumed which will, through continual use, produce digestive disturbances. In every food in which saccharin is used some other sweetening agent known to be harmless to health can be substituted, and there is not even a pretense that saccharin is a necessity in the manufacture of food products. Under the food and drugs act articles of food are adulterated if they contain added poisonous or other added deleterious ingredients which may render them injurious to health. Articles of food are also adulterated within the meaning of the act if substances have been mixed and packed with the foods so as to reduce or lower or injuriously affect their quality or strength. The findings of the referee board show that saccharin in food is such an added poisonous or other added deleterious ingredient as is contemplated by the act, and also that the substitution of saccharin for sugar in foods reduces and lowers their quality.

The Secretary of Agriculture, therefore, will regard as adulterated under the food and drugs act foods containing saccharin which, on and after July 1, 1911, are manufactured or offered for sale in the District of Columbia or the Territories, or shipped in interstate or foreign commerce, or offered for importation into the United States.

FRANKLIN MACVEAGH,
Secretary of the Treasury.

JAMES WILSON,

Secretary of Agriculture.

CHARLES NAGEL,

Secretary of Commerce and Labor.

WASHINGTON, D. C., April 26, 1911.

[F. I. D. 142. Issued Mar. 11, 1912. United States Department of Agriculture, office of the Secretary. Food inspection decision 142.]

SACCHARIN IN FOOD.

The following decision which relates to the use of saccharin in food will not go into effect until the 1st of April, 1912, the month of March being given to interested parties so as to arrange their business and take such steps as they may deem proper.

JAMES WILSON,

Secretary of Agriculture.

WASHINGTON, D. C., March 1, 1912.

After full consideration of the representations made in behalf of the manufacturers of saccharin at the hearing before us and of the briefs filed by their attorneys, as well as the briefs filed, at our request, by officers of the Department of Agriculture, we conclude that the use of saccharin in normal foods, within the jurisdiction of the food and drugs act, is a violation of the law and will be prosecuted.

It is true that the referee board did not find that the use in foods of saccharin in small quantities (up to 0.3 gram daily) is injurious to health. However, the referee board did find that saccharin used in quantities over 0.3 gram per day for a considerable period is liable to disturb digestion, and the food and drugs act provides that articles of food are adulterated which contain any added poisonous or other added deleterious ingredient which may render them injurious to health.

The Bureau of Chemistry of the Department of Agriculture reports that saccharin has been found in more than 50 kinds of foods in common use. It is argued, therefore, that if the use of saccharin in foods be allowed the consumer may very easily ingest day by day over 0.3 gram, the quantity which, according to the findings of the referee board, is liable to produce disturbances of digestion. On the other hand, it is claimed by the manufacturers that the sweetening power of saccharin is so great that in a normal dietary the amount of saccharin ingested daily would not exceed 0.3 gram, the amount found to be harmless by the referee board.

However this may be, it is plain from the finding of the referee board that the substitution of saccharin for sugar lowers the quality of the food. The only use of saccharin in foods is as a sweetener, and when it is so used it inevitably displaces the sugar of an equivalent sweetening power. Sugar has a food value and saccharin has none. It appears, therefore, that normal foods sweetened with saccharin are adulterated under the law.

In making this decision we are not unmindful of the fact that persons suffering from certain diseases may be directed by their physicians to abstain from the use of sugar. In cases of this kind saccharin is often prescribed as a substitute sweetening agent. This decision will not in any manner interfere with such a use of saccharin. The food and drugs act provides that any substance which is intended to be used for the prevention, cure, or mitigation of disease is a drug, and a product containing saccharin and plainly labeled to show that the mixture is intended for the use of those persons who, on account of disease, must abstain from the use of sugar, falls within the class of drugs and is not affected by this decision.

The Secretary of the Treasury dissents.

JAMES WILSON,

Secretary of Agriculture.

CHARLES NAGEL,

Secretary of Commerce and Labor.

WASHINGTON, D. C., February 29, 1912.

[From the Washington Herald, Oct. 23, 1919]

NO SACCHARIN UNDER DRUG ACT—MANUFACTURERS AND BAKERS CAN NOT USE SUGAR SUBSTITUTE.

Washington housewives who had pinned their hopes to saccharin as a relief from the growing sugar shortage will be disappointed to know that the District Health Department yesterday frowned on efforts being made to introduce the substitute for general household use.

Dr. John L. Norris, acting health officer, announced his intention of prosecuting violators of the law restricting the use of saccharin under the food and drug law.

The regulations provide that no saccharin shall be used by manufacturers of foods or drinks. Infringement of these laws by soda establishments, delicatessens, bakeries, candy makers, and the like will be vigorously prosecuted, said Dr. Norris.

Housewives who care to make use of the substitute at their own risk are privileged to do so, he said, as the law does not apply to private consumers.

However, Dr. Norris said, continued use of large quantities of saccharin is injurious to the health of the individual. "Three-tenths of a gram of saccharin a day is the limit of safety determined by a special investigation board of college experts appointed by the Department of Agriculture," he asserted. Dr. Norris said that this amount was about equal to a tenth of a teaspoonful.

Saccharin is a sugar-like substance derived from coal tar. It is far sweeter than sugar.

SACCHARIN—THE PUREST OF ALL SWEETENERS—IS RELIEVING THE SUGAR SITUATION.

Think of saccharin and ease your alarm over the present sugar shortage.

There is not a family or a member of a family who can not again enjoy sweetened coffee or tea or other beverages, as well as sweetened foods.

Saccharin has a sweetening strength five hundred times greater than that of sugar. It is a healthful, harmless, sweetening agent.

It is excellent for use in coffee, tea, and wherever sweetness, not food value, is needed.

Go to a store to-day and buy saccharin tablets in boxes of 100. Use one tablet instead of a lump or teaspoonful of sugar in all your home beverages.

Sugar is scarce and costly. Saccharin is plentiful and cheap. By using it now as a sweetener instead of or as an auxiliary to sugar the present scarcity of sugar will be relieved with actual saving of money. Saccharin will prove itself a useful aid to American health and economy.

Give saccharin a trial now in your coffee or tea.

JOHN F. QUEENEY,
Chairman of the Board,
Monsanto Chemical Works (Established 1901).

NOTE.—This advertisement is inserted by Monsanto Chemical Works, the world's most important manufacturers of saccharin.

STATEMENT OF DR. CARL L. ALSBERG, CHIEF BUREAU OF CHEMISTRY,
DEPARTMENT OF AGRICULTURE, WASHINGTON, D. C.

"Senator McNARY, Dr. Alsberg, you have heard the statements made by Mr. Cooke and Dr. Du Bois concerning the desire on their part to have the ruling of the Department of Agriculture changed with respect to the use of saccharin. As a representative of the Bureau of Chemistry the committee would like to have you make such statement on the subject as you desire.

"Dr. ALSBERG. I have not very much to say, Mr. Chairman, except that we feel this particular matter is one which should properly be settled in court. A case has been pending for a couple of years. The reason why the department was not able to press it to trial during the war was that some of the Government's important witnesses were fighting in the Army in France and were not available. They are available now, and the Attorney General has been notified by the Department of Agriculture that the department is ready to go ahead at any time. And on that point all I would like to say is that it seems to me the proper place for the settlement of this particular question is in the courts.

"Also, I would like to point out, Mr. Chairman, if I may, that Mr. Cooke brought out that there is no prohibition on the shipment of saccharin as such. Anybody who wants to buy a tablet of saccharin to sweeten coffee with can go into any drug store in the United States and buy it at small cost and use it. The only prohibition there is is the expression of opinion on the part of the Department of Agriculture that saccharin is deleterious to health and that saccharin substituted for sugar may injuriously affect the quality of food. It follows that there is no prohibition against saccharin as such. Anybody may buy it and use it on his table and in his own cooking if he or she sees fit. But where the article is used in the manufacture of a compound food, such as soda pop, jam, jelly, or anything of that kind or any other kind, the department holds that it may be a deleterious ingredient added to the food, and that the addition of such deleterious ingredient is in violation of the law.

"Now, gentlemen of the committee, the Department of Agriculture still holds, and I still hold, that the question of the effect of saccharin is not clear and free from doubt, as has been represented here. I believe there is very considerable evidence that it may be deleterious to health. That evidence will be presented in court in due time. I believe also that the use of saccharin will lead to endless debasement of the country's food supply and result in endless fraud of one kind or another.

"It is very easy to argue that soda water is not food. But that is all nonsense. You can not take anything into your system which is capable of being used as food and after you have swallowed it control what your system shall do with it. You may will that the sugar in soda water is not going to be used as food. You may not be conscious that you are taking it as food, but it is food; and if you take an ounce of sugar in your diet in the form of soda water, your system has an automatic governor or regulator so that your appetite at your next meal is correspondingly less, and you will take a correspondingly less quantity of some other food. If you spend your money, as they want you to do, for an article that tickles your palate but is of no food value whatever, you have thrown that amount of money away and you have got to spend a correspondingly additional sum of money to get the amount of energy you would have gotten if you had gotten sugar. In my judgment, to permit the unrestricted use of saccharin would be contrary to public interest from any angle that you may look at the subject. It is deleterious to health, and it will debase the food supply of the country as a whole. The best evidence of that is that it will actually reduce the per capita consumption of sugar.

"If the war showed one thing, it showed this, that the average person in any country does not eat to excess. That is an honest figment of some food faddist; but we eat, the most of us, to the point we need, and not very much in excess of that. Now, if we are going to eliminate 100,000 tons or 100,000 pounds of sugar from the food value of the country, the people who have been eating that sugar must eat something else, and that will result in an increased expenditure for the food supply of the country.

"I can not see any argument at this time or any other time for an unrestricted use of saccharin. The only argument is a business argument, that for the time being, for a few weeks, certain industries will be hampered. We are not in the condition in which they were in Europe, where they could not get enough of any kind of food. The situation is different here.

"Senator McNARY. Now, Dr. Alsberg, is there any Federal law that will prevent the manufacture of soda pop or ginger ale by the use of saccharin?

"Dr. ALSBERG. Well, there is no law against it, but the food and drugs act defines adulteration. It defines food as being adulterated if it contains any added deleterious ingredients. If saccharin, as the Department of Agriculture has held, is an added deleterious ingredient, then such soda water is adulterated, and can not be shipped in interstate commerce, because it contains an added deleterious ingredient.

"There is another definition of adulteration, and that is if in a food a substance has been substituted for a normal ingredient of food in such manner as to injuriously affect its quality and strength. So that it may be held that if soda water, which normally has always been made of sugar or some similar material, is made by the use of saccharin as a substitute, which saccharin has no food value, then that article is adulterated, in that a valuable ingredient has been substituted by an ingredient with no value. So we hold at the present time that soda water made by the use of saccharin instead of sugar and shipped in interstate commerce would not be legal.

"Senator RANDELL. Suppose it is not shipped in interstate commerce?

"Dr. ALSBERG. Then we would have no jurisdiction over it whatever.

"Senator McNARY. Supposing I am a manufacturer and bottler in a State where there is no local prohibitory law. Say I buy saccharin from the manufacturer in St. Louis, Mo., and ship it into New Jersey, where there is no State law. Is there any departmental restriction or order to prevent me from manufacturing soda water and selling it to the people of New Jersey?

"Dr. ALSBERG. The Department of Agriculture has no authority whatever to interfere in a case of that kind.

"Representative MARTIN of Louisiana. That is a matter for State law?

"Dr. ALSBERG. Yes, sir. But the chairman is assuming that there is no State law or regulation.

"Senator McNARY. Can you assure this committee that there will be no further delays in the trial of your case, which is to be a test case?

"Dr. ALSBERG. There will be no future delays so far as the Bureau of Chemistry, Department of Agriculture, is concerned. What delays may ensue due to the action of the court or due to some matter over which we have no jurisdiction, I can not say.

"Senator RANDELL. Do you know how many States prohibit the use of saccharin?

"Dr. ALSBERG. I do not, sir; but I have the data on file in my office, and if this committee wishes I can easily have it inserted in the record.

"Senator RANDELL. I would like to have it go along with your testimony.

"Dr. ALSBERG. I will make a note to furnish you a memorandum on that subject for insertion in the record.

"(The data subsequently furnished by the witness is here printed in full in the record, as follows:)

"UNITED STATES DEPARTMENT OF AGRICULTURE,
"BUREAU OF CHEMISTRY,
"Washington, D. C., October 14, 1919.

"Hon. CHARLES L. McNARY,

"United States Senate, Washington, D. C.

"DEAR SENATOR McNARY: In keeping with my promise made to you at the hearings on saccharin this morning, I beg to transmit herewith information concerning the prohibition on the addition of saccharin to food in various States for inclusion in the record of the hearings held to-day:

"The addition of saccharin to food is prohibited by law in Iowa, Minnesota, Mississippi, North Carolina, North Dakota, Oklahoma, Pennsylvania, Rhode Island, South Dakota, Utah, and Wisconsin.

"The addition of sweetening agents other than sugar to soda waters is prohibited by law in Alabama.

"The addition of saccharin to nonalcoholic beverages is prohibited by law in Nebraska and New Jersey.

"Nothing but cane sugar can be used as the sweetening agent in pickles and fruit sauces according to the law of Oregon.

"The addition of saccharin to cider and vinegar is prohibited by law in Arkansas.

"The addition of saccharin to food is prohibited by the rules and regulations of the food and drug commissioners of all the other States, except Delaware, Missouri, New Mexico, and Texas. There are no organizations for the enforcement of food and drug laws in Delaware and New Mexico.

"Very truly, yours,

"C. L. ALSBERG, Chief.

"UNITED STATES DEPARTMENT OF AGRICULTURE,

"BUREAU OF CHEMISTRY,

"Washington, D. C., October 29, 1919.

"Hon. CHARLES L. McNARY,

"United States Senate, Washington, D. C.

"DEAR SENATOR McNARY: The Bureau of Chemistry has done considerable work on providing substitutes other than saccharin for sugar in soft drinks. This work was done during the war for the purpose of conserving sugar. The substitutes recommended will not only replace part of the sugar, but will provide valuable food material, which saccharin does not.

"I am attaching a statement of this work and a number of the formulae which have been used generally by the soft-drink industry with highly satisfactory results. If you consider it advisable, I would be very glad to have this statement inserted as a part of my remarks before the subcommittee of the Committee on Agriculture and Forestry on October 14.

"Very truly, yours,

C. L. ALSBERG, Chief."

"STATEMENT OF EXPERIMENTAL WORK OF THE BUREAU OF CHEMISTRY TO PROVIDE SUBSTITUTES FOR SUGAR IN THE MANUFACTURE OF SOFT DRINKS.

"In the manufacture of beverages, especially that class known as 'soft drinks,' the use of sweetening materials other than refined white sugar is entirely practicable, as shown by the experimental work of the Bureau of Chemistry during the year 1918. Starch or 'corn' sirup, starch sugar, maltose sirup, and refiners' sirup may all be used to replace a part, at least, of the usual quantity of sugar. The quantity of starch sirup (glucose) which it is possible to produce is almost unlimited. Maltose sirup of a grade suited to the use of bottlers is only produced in limited quantity, but an active demand would induce the purification of the crude maltose sirup in quantity. The large anticipated surplus of barley due to the reduction of brewing would seem to indicate that a supply of maltose sirup could be made available to meet the demand. It should be remembered that the cost of production of soft drinks with sugar substitutes of equivalent sweetness has been in the past greater than with pure white sugar selling at 7 to 9 cents per pound, but if the sugar is not available, the substitutes are satisfactory from both a sweetening and a food-value standpoint.

"It is believed that the production of maltose, glucose, and starch sugar can be expanded to meet any legitimate demand, since the raw materials are available in great abundance.

"The formulae as recommended to the soft-drink industry follow.

"QUANTITY OF SWEETENING INGREDIENT IN BOTTLED SOFT DRINKS.

"The quantity of sweetening ingredient to be used in bottled soft drinks depends upon the personal preference of the consumer, which is influenced by the acidity of the beverage. The acid beverages, such as ginger ale, cherry, raspberry, strawberry, pineapple, lemon, orangeade, grape, and other sodas, require more sweetening than do the nonacid beverages, such as root beer, sarsaparilla, birch beer, cream, chocolate, etc. Some consumers, especially children, prefer a sweeter product than do others. Consequently, from the standpoint of sweetness, soft drinks may be divided into 'sweet' products and 'dry' products, and since a 'sweet' acid drink requires more sweetening than does a 'sweet' nonacid drink, soft drinks may be further subdivided as indicated in Table 1, which shows the average quantity of sugar heretofore used in beverages.

"TABLE 1.—Normal quantity of sugar in soft drinks (based on analyses made in the Bureau of Chemistry).

| | Ounces per half pint bottle. |
|--|------------------------------|
| Nonacid group (sarsaparilla, root beer, etc.): | |
| In "sweet" products..... | 1 to 1 1/2 |
| In "dry" products..... | 1 to 1 1/2 |
| Acid group (lemon, grape, phosphates, etc.): | |
| In "sweet" products..... | 1 to 1 1/2 |
| In "dry" products..... | 1 to 1 1/2 |

"PRINCIPAL SWEETENING SUBSTITUTES.

"The principal sweetening ingredients proposed for replacing a part of the sugar in bottled soft drinks are corn sirup (ordinary glucose), corn sugar, maltose sirup, honey, and high-grade refiners' sirup. After testing these products in various combinations with many different flavors the Walter Laboratory has found that:

- (1) None of these products can be used to replace all of the sugar.
- (2) Each of these proposed sweetening ingredients possesses a characteristic flavor which may affect the palatability of the beverage unless it is used judiciously in the proper combination with ordinary sugar.
- (3) The keeping quality of these products when made up into sirups is not so high as that of ordinary sugar sirup, but if the new sirups are filtered, boiled, and used immediately the keeping quality of the finished beverage is satisfactory, as observed over a period of six weeks.
- (4) The relative sweetness of the products mentioned (except refiners' sirup) is as follows: Ordinary sugar, 100; honey (44° Baumé), 75; corn sugar, 45; maltose sirup (42° Baumé), 30; corn sirup (45° Baumé), 20.
- (5) These products can be used to replace one-fourth to one-half the amount of sugar ordinarily used, thereby effecting a saving of approximately 50,000 tons of sugar a year.

"FORMULAS.

"As a result of the experimental work conducted in the Bureau of Chemistry the quantities of sugar, corn sirup, and refiners' sirup given in Formulas I to VI are suggested for the different types of soft drinks.

"FORMULA I. SUGAR AND CORN SIRUP (COMMERCIAL GLUCOSE).

"To be used for a sweet root beer, sarsaparilla, birch beer, cream, chocolate, or for a dry lemon, orangeade, and the following beverages made with imitative flavors: Cherry, raspberry, strawberry, pineapple, or grape.

"Dissolve 100 pounds of granulated sugar and 200 pounds of corn sirup (45° Baumé) in 27 gallons of pure water. The solution obtained will measure about 50 gallons. Filter, boil, and use immediately. Add

1 1/2 fluid ounces of this sirup to each half-pint bottle. Each 1 1/2 fluid ounces of this sirup will contain three-eighths ounce sugar and three-fourths ounce corn sirup (45° Baumé).

"FORMULA II. SUGAR AND CORN SIRUP (COMMERCIAL GLUCOSE).

"To be used for a dry root beer, sarsaparilla, birch beer, cream, chocolate, or ginger ale.

"Same formula as Formula I. Add 1 fluid ounce sirup to each half-pint bottle. Each ounce of the sirup made according to Formula I will contain one-fourth ounce sugar and one-half ounce corn sirup (45° Baumé).

"FORMULA III. SUGAR AND CORN SIRUP (COMMERCIAL GLUCOSE).

"To be used for a sweet ginger ale, lemon, orangeade, or the following beverages made with imitation flavors: Cherry, raspberry, strawberry, pineapple, or grape, or for dry true fruit, blackberry, wild cherry, pineapple, strawberry, raspberry, or grape.

"Dissolve 114 2/7 pounds of granulated sugar and 171 3/7 pounds of corn sirup (45° Baumé) in 28.6 gallons of pure water. The solution obtained will measure about 50 gallons. Filter, boil, and use immediately. Add 1 1/2 fluid ounces sirup to each half-pint bottle. Each 1 1/2 fluid ounces of this sirup will contain one-half ounce sugar and three-fourths ounce corn sirup (45° Baumé).

"If it is desired to use a less concentrated sirup than the one given and to increase the quantity per half-pint bottle, the following formula may be employed:

"Dissolve 100 pounds of granulated sugar and 150 pounds of corn sirup (45° Baumé) in 31.3 gallons of pure water. The solution obtained will measure about 50 gallons. Filter, boil, and use immediately. Add 2 fluid ounces of this sirup to each half-pint bottle. Each 2 fluid ounces of this sirup will contain one-half ounce sugar and three-fourths ounce corn sirup (45° Baumé).

"FORMULA IV. SUGAR AND CORN SIRUP (COMMERCIAL GLUCOSE).

"To be used for a sweet true fruit, blackberry, wild cherry, pineapple, strawberry, raspberry, or grape.

"Dissolve 125 pounds of granulated sugar and 200 pounds of corn sirup (45° Baumé) in 25.6 gallons of pure water. The solution obtained will measure about 50 gallons. Add 2 fluid ounces of this sirup to each half-pint bottle. Each 2 fluid ounces of this sirup will contain five-eighths ounce sugar and 1 ounce corn sirup (45° Baumé).

"FORMULA V. SUGAR AND REFINERS' SIRUP.

"To be used for a sweet sarsaparilla or other heavy-flavored, nonacid beverages, for sweet beverages containing extract of cola, and for low-grade sweet ginger ale, or for a low-grade dry lemon, or other low-grade dry beverages of the acid group.

"Dissolve 200 pounds of ordinary sugar and 100 pounds of high-grade refiners' sirup (40° to 44° Baumé) in 27 1/2 gallons of pure water. The solution obtained will measure about 50 gallons. Filter, if not clear, and use immediately. Add 1 fluid ounce to each half-pint bottle. Each fluid ounce of this sirup will contain one-half ounce ordinary sugar and one-fourth ounce refiners' sirup.

"FORMULA VI. SUGAR AND REFINERS' SIRUP.

"To be used for a dry sarsaparilla or other heavy-flavored, nonacid, dry beverages, for beverages containing extract of cola, and low-grade dry ginger ale.

"Add one-half fluid ounce of the sirup made according to Formula V to each half-pint bottle. Each one-half fluid ounce of this sirup will contain one-fourth ounce sugar and one-eighth ounce refiners' sirup.

"EXCEPTIONS.

"A cream soda made with three-eighths ounce sugar and three-fourths ounce corn sirup is less sweet than the other beverages of the same group, and a chocolate made with one-fourth ounce sugar and one-half ounce corn sirup is not quite sweet enough, even for a 'dry' product. On the contrary, ginger ale made with one-half ounce sugar and three-fourths ounce corn sirup will be too sweet even for a 'sweet' product, the combination one-half ounce sugar and one-eighth ounce or one-fourth ounce corn sirup being preferable. For a 'dry' ginger ale, one-fourth ounce sugar and one-half ounce corn sirup gave satisfactory results. One-half ounce sugar and three-fourths ounce corn sirup will make a 'dry' grape beverage, but more sugar will be required to make a 'sweet' product.

"Formula III can be used to make dry true fruit, blackberry, wild cherry, pineapple, strawberry, raspberry, and grape beverages, but for sweet products of this nature it will be necessary to increase the sweetening 30 per cent over that specified in Formula III.

"With the exceptions noted, Formulas I to VI can be used as a general guide for preparing beverages.

"MALTOSE SIRUP.

"If desired, the same quantity of maltose sirup (42° Baumé) may be used in place of the corn sirup in Formulas I, II, III, and IV. In the case of maltose sirup, care should be taken to purchase only a high-grade product which is low in protein; otherwise the keeping quality of the finished beverage will not be satisfactory.

"CORN SUGAR.

"If it is desired to use corn sugar or honey in place of corn sirup, it will be necessary to use only about one-half as much, since these products generally are sweeter than corn sirup. The corn sugar used in these experiments was slightly off flavor. It is suggested that corn sugar be used only in beverages with heavy flavors, such as sarsaparilla and root beer, in which the slight not altogether unpleasant, bitterness is masked. It is suggested also that when corn sirup, corn sugar, etc., are used the normal quantity of acid be reduced to two-thirds of the usual amount and that the normal quantity of flavor be increased by one-half.

"HONEY.

"Honey, when used in soft drinks, must be clarified; otherwise, with some beverages the coloring matter will be precipitated as a sediment, making the product unmarketable. The commercial liquid honey is made into a sirup, about 1 ounce of kaolin (china clay) is added per gallon, the solution well mixed and filtered through paper. It is necessary to return to the filter the first runnings which are not clear. The filtration proceeds rather slowly, and it is probable that a filter press could be used to hasten the process when conducted on a commercial scale.

"REFINERS' SIRUP.

"Refiners' sirups which are being offered to the bottling trade vary greatly in quality and in price. The cost per gallon is not always a criterion of the quality. The strong molasses flavor and saline taste of even the best grades of refiners' sirup appear to limit its use largely to

the nonacid and the cola beverages. It is believed, however, that bottlers will find it profitable to test thoroughly Formulas V and VI, which suggest the use of small percentages of refiners' sirups.

"COLA BEVERAGES.

"Beverages containing extract of cola, etc., can be manufactured with good results, using any of the substitutes mentioned except honey. The quantities and proportions are practically the same as those used for 'sweet' and 'dry' sarsaparilla.

"LIMITING PRODUCTION.

"Bottlers are urged, in the interests of sugar conservation, to limit the production of beverages such as grape, phosphates, and other acid drinks which require a large amount of sweetening to render them palatable. By curtailing the output of this type of beverage and by making use of the formulas here given, it is believed that the normal production of bottled soft drinks need not be greatly reduced and yet the supply of sugar will be conserved.

"SACCHARIN.

"Saccharin, which some bottlers have proposed to use during the period of the war, has no food value, and is considered to be deleterious to health. Its use is prohibited by the laws or regulations of 14 States, and is believed by the Department of Agriculture to be within the inhibition of the Federal food and drugs act (Food Inspection Decisions 135, 142); consequently, it is not classed with such products as corn sirup and maltose sirup.

"LABELING SOFT DRINKS.

"The Federal food and drugs act places no restriction on the use in soft drinks of corn sirup, maltose sirup, honey, corn sugar, and refiners' sirup. Their presence should be declared, however, on the label.

"FOUNTAIN SIRUPS.

"The application of these formulas to the preparation of fountain sirups has not been experimentally determined, but it is believed that they can be satisfactorily employed provided slightly more of the sirup is used than is ordinarily employed in bottled beverages and care is exercised to observe strictly the suggestions regarding the keeping quality of the sirups.

"REPORT OF RESULTS.

"The bureau will appreciate it if bottlers using these formulas will report the results obtained, especially any difficulties experienced in their application.

"SIRUP TABLES.

"In the manufacture of simple sirups, it is convenient to know the final volume, degrees Baumé, percentage sugar, etc., of the sirup obtained when a given weight of sugar or other sweetening ingredient is added to a given volume of water. Such data are not always available to the bottler, nor is it a simple matter to deduce them from the data which the average bottler can conveniently obtain. For this reason it was thought worth while to make the calculations contained in Table 2.

"TABLE 2.—Sirup table for the bottler.

| Pounds sugar to each gallon water. | Gallons sirup obtained. | Ounces sugar to each fluid ounce of sirup. | Percentage sugar in sirup by weight. | Specific gravity, at a temperature of 17.5° C. | Degrees Baumé (new). |
|------------------------------------|-------------------------|--|--------------------------------------|--|----------------------|
| 4..... | 1.296 | 0.386 | 32.43 | 1.1414 | 18.2 |
| 5..... | 1.371 | .455 | 37.50 | 1.1667 | 21.0 |
| 6..... | 1.446 | .519 | 41.86 | 1.1891 | 23.4 |
| 7..... | 1.521 | .575 | 45.65 | 1.2091 | 25.4 |
| 8..... | 1.595 | .627 | 48.98 | 1.2272 | 27.2 |
| 9..... | 1.672 | .673 | 51.92 | 1.2434 | 28.7 |
| 10..... | 1.747 | .716 | 54.54 | 1.2582 | 30.1 |
| 11..... | 1.823 | .751 | 56.90 | 1.2718 | 31.4 |
| 12..... | 1.899 | .789 | 59.01 | 1.2841 | 32.5 |
| 13..... | 1.974 | .823 | 60.94 | 1.2954 | 33.45 |
| 14..... | 2.051 | .853 | 62.68 | 1.3055 | 34.4 |
| 15..... | 2.126 | .882 | 64.28 | 1.3155 | 35.2 |

"CAUTION.

"In many instances, as little as one-eighth ounce additional sugar to the half-pint bottle will raise the grade of a soft drink from an unmarketable product to a medium or high-grade product. Now, in a 10-pound sirup (i. e., 10 pounds sugar to each gallon of water taken), one-eighth ounce sugar is contained in 0.17 fluid ounce. If a machine is presumed to deliver 1 fluid ounce of sirup, but actually delivers only three-fourths fluid ounce, this would, therefore, in many cases affect the marketability of the product. Consequently, while it is always advisable to so adjust the machine to measure accurately the quantity of sirup delivered, it is particularly necessary if sugar substitute sirups are used. Serious errors may occur in making up the sirups, due to inaccurate measurement of the sweetening ingredients and of the water used. Especial care should be taken to make up the sirups of known strength, and in doing this, good use can be made of Table 2, in which the volume relations have been worked out accurately. The water should be measured at a temperature approximately 17.5° C. (63.5° F.), although a difference of 10° F. will not seriously affect the result. More serious errors are likely to result from the process of filtering and heating.

"Senator RANDELL. Do the people in your profession agree on how much sugar the human system ought to take in order to get the very best results?

"Dr. ALSBERG. Well, I do not think anybody has ever considered it from that standpoint. Sugar is a source of energy in the human frame, and so are all fats, and so are all starchy materials, and we know that the average man requires enough fuel-furnishing food—that is, fats, or oils, or starches, or sugars—to furnish him a certain amount of energy, which the physicist figures out in heat units. A person needs so much a day. A person needs so much if he is lying in bed, and a larger quantity if moving around. You need more in winter than in summer. If you are chopping wood or doing very hard physi-

cal labor, you need an additional quantity. Of course, a small man will need relatively more than a large man, because the small man loses more heat from his body for the reason that more heat radiates from his body, and he loses more.

"Senator KEYES. You mean the other way, don't you?

"Dr. ALSBERG. Per unit of weight, the small man needs more than the large man; per pound of body weight, the small man needs more than the large one, because the amount of his body surface is greater, and a thin man needs more than the fat man, because the fat man has the better insulation.

"Representative MARTIN. Dr. Alsberg, what about prohibition? Do you think that is one cause of the demand for sugar?

"Dr. ALSBERG. I think it will increase the consumption of sugar.

"Senator RANDELL. Why?

"Dr. ALSBERG. Because of the large quantity of sugar that is being used in beverages and will be continued in various beverages of all kinds.

"Senator RANDELL. Is that the sole reason, or does the man who has been accustomed to intoxicating drinks get any beneficial effect; or at least imagine that he gets a beneficial effect from an intoxicating point of view from the use of sugar?

"Dr. ALSBERG. He will not get any intoxicating effect, but there is this to be said, that sugar is the most quickly available form of food that you can take into the system. When I used to talk to students before I came into the department, I used to use this metaphor: That the sugar you take into your body is like the loose change you carry around in your pocket—available very easily; that the starch you take into your body is like the bills that you carry in your billfold—you have to unbutton your coat in order to get to them; and that the fats that you take into your body are like your bank account—you have to draw a check and go to the bank or somewhere else and get it cashed, being the least available of the three.

"It is a well-known fact that it helps an athlete at the beginning of a race or just before any great effort to take a few lumps of sugar, because that sugar is immediately available. Starch has to be broken down into glucose first, and fats have to be burned to yield energy very slowly. A man requires so much energy a day, according to size, and weight, and shape, and the life he follows. He can get that energy mainly from starches or sugar, or mainly from fats, or mainly from nitrogenous materials, according to circumstances. So we can not really say what a man's sugar requirements during the year are. You can say what the total requirements in his diet are, and he can get that by varying the three ingredients.

"Senator McNARY. Following Senator RANDELL's questions, isn't it true that a man having alcohol denied him craves sweets?

"Dr. ALSBERG. That is generally so stated, but I do not know that it is correct.

"Senator RANDELL. I know that is the opinion, but does science agree to that?

"Dr. ALSBERG. Well, that is my observation, too, but why it should be I do not know.

"Representative MARTIN. It is not a stimulant, then?

"Dr. ALSBERG. Sugar is not a stimulant in the sense that alcohol is. Scientifically speaking, alcohol is not a stimulant; it is a depressant. It seems to be a stimulant because it paralyzes the highest centers and removes the inhibitions. In other words, a man who is brave when he is drunk is brave in fact because he does not care; his inhibitions have been removed. Alcohol stimulates, apparently, but actually it paralyzes, the paralysis beginning with the highest intellectual centers and going progressively downward until a man gets dead drunk. So that what appears to begin with stimulation is in fact the beginning of the paralysis. That is the scientific view of the effect of alcohol. Sugar does not have and can not possibly have any effect of that kind. The nearest approach to it that it might have is that it is a source of energy immediately and rapidly available, so that if a man has sudden and great efforts to make if he has a little extra sugar that can be absorbed into the blood and so into the system it helps just that much.

"Senator RANDELL. Isn't it true that people who perform very hard manual labor have a craving for sugar and will eat more sugar than those doing mental work?

"Dr. ALSBERG. That is true; and they have to eat more food generally. It is just the same proposition as in the case of a machine. There are two elements in food; one is fuel and the other is repair parts. The nitrogenous materials which we take in our food are repair parts. They repair the machine. The sugar, fats, and starch are just fuel. If a man does hard manual labor he has to have more fuel, the same as an automobile which runs 100 miles has to have more fuel than the automobile which runs 10 miles. That craving of the man who is at

work for starch and sweet food is simply his expression of greater requirements for fuel.

"Senator RANDELL. Not especially for sweets, but for more fuel?"

"Dr. ALSBERG. Yes, sir; that is it, for more fuel.

"Senator McNARY. Does not the human system generate alcohol in its daily functioning?"

"Dr. ALSBERG. Yes, sir; in small amounts.

"Senator McNARY. Isn't sugar one of the very strong ingredients that bring about that condition?"

"Dr. ALSBERG. Senator, that is true, apparently, but we do not know the details, unfortunately. Sugar goes to the muscle and in the muscle it is burned just the same as you burn it by putting a match to it. The difference in the burning is that instead of burning it up all at once it is gradually broken down step by step, and it is believed that a part of the sugar in one of those steps of oxidation may be transformed somewhat into alcohol.

"Senator McNARY. Any other questions?"

"Mr. COOKE. May I ask a question or two?"

"Senator McNARY. Certainly.

"Mr. COOKE. In the case of a sugar shortage, Dr. Alsberg, which makes the normal ration, whatever it may be, unavailable, would you consider it preferable to have the sugar that goes into soda water used on the table or in the production of any true foods?"

"Dr. ALSBERG. I do not think so far as the well-being of the country is concerned it makes much difference where the sugar ration is used. It is going to be used as food whether it goes into the stomach—whether it is used to sweeten coffee or in foods. You can not take it into your mouth and swallow it whether in the form of the sugar itself or when added to food without using it, so that the sum total of the sugar is the same, although the distribution may be different.

"Mr. COOKE. If the housewife can find no sugar at her store on a given morning and wants sugar for her children's oatmeal, would you say failing that she should go to the drug store and get a drink of sweetened water?"

"Dr. ALSBERG. No; and I shouldn't say that she should go to the drug store and buy saccharin to put on her oatmeal either.

"Mr. COOKE. No; but if saccharin were used in soda water and sugar on oatmeal it would be preferable from a dietetic standpoint.

"Dr. ALSBERG. I do not think that makes any difference.

"Mr. COOKE. The young woman who eats a full dinner and then eats a pound of candy while sitting on the lounge afterwards would not get a balanced ration, would you say? Is that candied sugar necessary to her?"

"Dr. ALSBERG. No; but you will find she does not eat as much supper, so it becomes the same thing.

"Mr. COOKE. But she eats the candy after eating a full dinner?"

"Dr. ALSBERG. Yes; but she will not eat so much supper thereafter.

"Mr. COOKE. Do you think that the use of saccharin in soda water would have a deleterious effect upon people?"

"Dr. ALSBERG. Yes, sir.

"Mr. COOKE. Have you heard about the opinion of Dr. W. E. Burge, of the physiological laboratory at the University of Illinois?"

"Dr. ALSBERG. Yes, sir.

"Mr. COOKE. Here is his conclusion—

"Dr. ALSBERG. Yes; I have had it repeated. We have never been able to corroborate it in any respect.

"Mr. COOKE. We know nothing of this ourselves.

"Dr. ALSBERG. I know; you had nothing to do with it. When I saw that I believed it necessary to have it repeated by a man of higher standing than he has, and he could not corroborate it.

"Mr. COOKE. May I put this in the record, because it is interesting?"

"Senator McNARY. Yes.

"Mr. COOKE. It is as follows:

"The conclusion is drawn that in addition to being a sweetening agent, saccharin, although not oxidized itself, serves to facilitate the oxidation of the other food materials by stimulating the liver to an increased output of catalase, the enzyme in the body principally responsible for oxidation. Hence it would seem that saccharin should be positively helpful in the diet, instead of harmful, as some have claimed, particularly in a disease such as diabetes, where the principal trouble is defective oxidation.

"Senator RANDELL. Before you leave, Dr. Alsberg, how does sugar compare with other food products in food-producing value, do you know?"

"Dr. ALSBERG. One part of sugar will produce four units of energy in the system, in round numbers. One part of fat or oil will produce nine units of energy in the system. One part of protein or nitrogenous material will produce about the same number of units as sugar, four units of energy. Of course, nitrogenous material has an advantage over the fats and over

sugar in that you have to repair your tissues with it and it becomes available as a repair material.

"Senator RANDELL. Sugar is a very valuable food product?"

"Dr. ALSBERG. Oh, yes; very valuable.

"Senator McNARY. Any other questions, Mr. Cooke?"

"Mr. COOKE. Conceding that sugar is valuable as a food product, is it possible for a citizen to overindulge in sugar?"

"Dr. ALSBERG. It is possible to indulge too much in any ingredient.

"Mr. COOKE. And sugar is a deleterious thing if too much is used?"

"Dr. ALSBERG. Well, that depends upon circumstances. You can get a deleterious effect from the excessive use of anything.

"Mr. COOKE. In other words, you can use too much sugar, and you can use too much beef, and you can use too much salt?"

"Dr. ALSBERG. You can make a pig of yourself in the use of any ingredient.

"Mr. COOKE. And possibly you could use too much saccharin.

"Dr. ALSBERG. I think it altogether likely that you could.

"Mr. COOKE. That is all.

"Senator McNARY. I wish to thank you on behalf of the committee, Dr. Alsberg, for your attendance here. Dr. Du Bois, have you anything further to say?"

"Dr. DU BOIS. My only suggestion is to conclude, from our standpoint, with the statement that I am sorry the controversial aspect has taken so much time. If there could be a relaxation of the regulation with reference to saccharin there is no question but what there would be a better distribution of sugar, and if saccharin could be used where it may be used, it would be absolutely harmless. You could release 100,000 pounds of sugar at least for the table and food products."

PETITIONS AND MEMORIALS.

Mr. KING. I present a joint memorial of the Legislature of the State of Utah, which I ask to have printed in the RECORD and referred to the Committee on Public Lands.

There being no objection, the memorial was referred to the Committee on Public Lands and ordered to be printed in the RECORD, as follows:

STATE OF UTAH, EXECUTIVE DEPARTMENT, SECRETARY OF STATE'S OFFICE.

This is to certify that the document hereto attached is a true copy of senate joint memorial No. 1, passed by the Legislature of the State of Utah at a special session, convened on the 29th day of September and adjourned on the 6th day of October, 1919, petitioning the Congress of the United States to pass necessary legislation to determine the question of title to mineral lands included in sections of public lands granted to the State under the enabling act, approved July 16, 1894, and for other purposes, as the same now appears of record in said office.

In witness whereof I have hereunto set my hand and affixed the great seal of the State of Utah, at Salt Lake City, in said State, this 17th day of October, 1919.

[SEAL.]

HARDEN BENNION, Secretary of State,
By JERROLD R. LETCHER, Deputy.

Senate joint memorial 1.

Petitioning the Congress of the United States to pass necessary legislation to determine the question of title to mineral lands included in sections of public lands granted to the State under the enabling act, approved July 16, 1894, and entitled "An act to enable the people of Utah to form a constitution and State government and to be admitted into the Union on an equal footing with the original States."

To the Senate and the House of Representatives of the United States in Congress assembled:

Your memorialists, the governor and the Legislature of the State of Utah, respectfully represent that—

Whereas the United States, by section 6 of an act approved July 16, 1894, entitled "An act to enable the people of Utah to form a constitution and State government and to be admitted into the Union on an equal footing with the original States," granted to the State of Utah for the support of common schools certain sections of every township in said State, to wit: Sections 2, 16, 32, and 36, and provided for lands in lieu thereof where said named sections or any part thereof in any township were unavailable; and

Whereas in said same act it was provided that certain public lands were to be granted to the State upon its admission into the Union for the purpose of constructing public buildings and for the University and Agricultural College, and for the purpose of building permanent water reservoirs for irrigating purposes, and for the establishment and maintenance of an insane asylum and for the establishment and maintenance of a school of mines, and for the establishment and maintenance of a deaf and dumb asylum, and for the establishment and maintenance of a reform school, and for the establishment of a State normal school, and for the establishment and maintenance of an institution for the blind, and for a miners' hospital for disabled miners; and

Whereas the State of Utah has sold and disposed of large parts of said lands so granted by the United States under the impression and with the understanding that it had full title thereto, regardless of whether said lands were mineral or otherwise; and

Whereas said grantees purchased said lands under the impression and understanding that the title in said lands was in the State; and

Whereas it was the understanding and impression of the executive officers dealing with said lands, and of the State of Utah, that said lands were granted by said enabling act to the State of Utah with all mineral rights included; and

Whereas the Supreme Court of the United States, in the case of the United States v. Sweet, administrator of Sweet, has held that the school section grant contained in the enabling act and known as section 6 of said act was not intended to embrace the land known to be valuable

for coal, and has further held that lands known to be mineral at the time of the taking effect of said grant were reserved to the United States; and

Whereas said decision has worked a hardship on those purchasers who purchased school lands under the impression and with the understanding that they obtained full title from the State; and

Whereas the State of Utah is unable to determine in any case just what lands were known to be mineral at the time of the taking effect of said grant, and is thus unable to determine just what lands the State of Utah has title to, and what it has not title to, and is unable to assure purchasers or prospective purchasers as to the title to such lands; and

Whereas lands which are now found to contain minerals or thought to be mineral lands upon investigation by the Department of the Interior, and which were included in the sections conveyed by the United States to the State of Utah and sold by the State of Utah to purchasers for the purposes designated in the enabling act, are being disposed of or attempted to be disposed of by the Department of the Interior as property of the United States; and

Whereas in each case where said attempted disposition is made by the United States a contest between the State and the United States, or between a purchaser of the United States and the State, or between a purchaser of the State and the United States, is entailed; and

Whereas there have been a great many of such contests and under the present state of affairs a likelihood of many more contests of like nature will take place, leading to the unsettlement of titles and supposed rights, and will tend to confusion; and

Whereas the State of Utah is unable to determine in many cases just exactly what land it owns, and therefore what it may sell, to the great detriment of the common-school funds and the purposes for which said lands were granted; and

Whereas it is deemed that said state of affairs should be remedied by proper legislation of Congress:

Now, therefore, the governor and the Legislature of the State of Utah respectfully petition that necessary legislation be enacted by the Congress of the United States whereby it may be determined what sections granted by the enabling act to the State of Utah for the purposes therein mentioned belong to the State of Utah, and that some certain and workable method be instituted for determining without contest in each particular case what lands sold by the State to purchasers really belong to the said purchasers or belong to the United States.

Passed October 4, 1919.

Approved October 8, 1919.

Mr. TOWNSEND presented petitions of the congregation of the Free Baptist Church of Branch County, of the Association of Congregational Churches of Saginaw, and of sundry citizens of Alanson, all in the State of Michigan, praying for the ratification of the proposed league of nations treaty, which were ordered to lie on the table.

He also presented a petition of Hiram Lodge, No. 1, Free and Accepted Masons, of Detroit, Mich., praying for an investigation into the recent race riots and mob violence in the United States, which was referred to the Committee on the Judiciary.

Mr. CAPPER presented a memorial of Local Lodge No. 867, Brotherhood of Railway Carmen of America, of Hutchinson, Kans., remonstrating against the passage of the so-called Cummins bill for the operation and control of railroads, which was ordered to lie on the table.

DETACHED SERVICE OF ARMY OFFICERS.

Mr. WADSWORTH, from the Committee on Military Affairs, to which was referred the bill (S. 3238) relating to detached service of officers of the Regular Army, reported it without amendment and submitted a report (No. 275) thereon.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. WADSWORTH:

A bill (S. 3290) to authorize the Secretary of War to transfer free of charge to the Federal Board for Vocational Education certain machines, appliances, tools, equipment, and other supplies under the control of the War Department; and

A bill (S. 3291) to fix the mileage to be paid to officers of the Army, active and retired, including members of the Officers' Reserve Corps, contract surgeons, expert accountants of the Inspector General's Department, and others connected with the Army, and also providing for reimbursement for actual expenses of travel and a flat per diem in lieu thereof; to the Committee on Military Affairs.

By Mr. SHIELDS:

A bill (S. 3292) for the relief of Davidson County, Tenn., and the city of Nashville, Tenn.; to the Committee on Claims.

By Mr. CALDER:

A bill (S. 3293) for the relief of the owner of the derrick Capitol;

A bill (S. 3294) for the relief of the owner of the derrick Concord; and

A bill (S. 3295) for the relief of the Moran Towing & Transportation Co.; to the Committee on Claims.

By Mr. McKELLAR:

A bill (S. 3296) regarding the education and naturalization of aliens and the children of aliens, and for other purposes; to the Committee on Education and Labor.

A bill (S. 3297) to punish conspiracy against organized government; to the Committee on the Judiciary.

By Mr. PHELAN:

A bill (S. 3298) granting a pension to August Garich (with accompanying papers); to the Committee on Pensions.

By Mr. THOMAS:

A bill (S. 3299) providing for the purchase of certain inventions, designs, and methods of aircraft, aircraft parts, and aviation technique of Edwin Fairfax Naulty and Leslie Fairfax Naulty, of New York; to the Committee on Military Affairs.

By Mr. KING:

A bill (S. 3300) to subject Indian lands to condemnation under the eminent domain of the several States for waterways and highways; to the Committee on Indian Affairs.

FEDERAL TRADE COMMISSION.

Mr. JONES of Washington. I ask leave to present a Senate resolution of inquiry, and I ask for its immediate consideration. If it leads to any discussion I will withdraw the request for consideration, but I do not think that it will.

The PRESIDENT pro tempore. The Secretary will read the resolution.

The Secretary read the resolution (S. Res. 219), as follows:

Resolved, That the Federal Trade Commission be, and it is hereby, directed to give to the Senate the following information in regard to the public statement dated October 22, 1919, purporting to be issued by the Federal Trade Commission with reference to Senator JAMES E. WATSON, a Senator from the State of Indiana, to wit:

1. Who directed and authorized the preparation of said public statement?
2. Who prepared it?
3. How many copies were prepared?
4. How many copies were distributed?
5. To whom and to what publications and organizations were they sent?
6. Who paid for their preparation and distribution?
7. If paid for with Government money, out of what fund was it taken?
8. How members of the commission approved the preparation and distribution of this document, and if not all of them, give the names of those who did.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

Mr. McCUMBER. Until at least the Senator from Indiana [Mr. WATSON] can be heard on the resolution, I think it ought to go over.

Mr. JONES of Washington. The Senator from Indiana has been conferred with about it.

Mr. McCUMBER. If it is satisfactory to the Senator from Indiana, I have no objection, but it relates to an address which he made a few days ago.

Mr. JONES of Washington. It is satisfactory to him.

Mr. McCUMBER. I think he should be heard with reference to any such matter.

Mr. WATSON. It is entirely satisfactory to me to have the resolution passed.

The PRESIDENT pro tempore. Objection is made, and the resolution goes over.

Mr. McCUMBER subsequently said: Mr. President, there seems to have been a misunderstanding in regard to my having objected to the consideration of the resolution offered by the Senator from Washington [Mr. JONES]. I did not object to the present consideration of the resolution, provided it was satisfactory to the Senator from Indiana [Mr. WATSON], who was not in the Chamber. That Senator, however, is now present.

The PRESIDENT pro tempore. The Senator from North Dakota withdraws his objection to the present consideration of the resolution?

Mr. McCUMBER. Yes; if my intervention was understood to have been an objection, I withdraw it.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution offered by the Senator from Washington?

The resolution was considered by unanimous consent and agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House disagrees to the amendment of the Senate to the bill (H. R. 9782) to regulate further the entry of aliens into the United States, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. ROGERS, Mr. TEMPLE, and Mr. FLOOD managers at the conference on the part of the House.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

H. R. 333. An act providing for the disinterment and removal of the remains of the infant child, Norman Lee Molzahn, from

the temporary burial site in the District of Columbia to a permanent burial place;

H. R. 446. An act authorizing the Commissioner of Indian Affairs to transfer fractional block 6 of Naylor's addition, Forest Grove, Oreg., to the United States of America for the use of the Bureau of Entomology, Department of Agriculture;

H. R. 753. An act for the relief of Susie Currier;

H. R. 2452. An act for the relief of Charles A. Carcy; and

H. R. 5007. An act granting citizenship to certain Indians.

UNITED STATES GRAIN CORPORATION.

The VICE PRESIDENT. The Chair lays before the Senate a statement from the United States Grain Corporation, which will be inserted in the RECORD.

The communication is as follows:

UNITED STATES WHEAT DIRECTOR,
Washington, D. C., October 23, 1919.

To the CONGRESS OF THE UNITED STATES:

Pursuant to instructions from Julius H. Barnes, United States Wheat Director, I herewith file with the Secretary of the Senate and the Clerk of the House of Representatives, as required by section 9 of the act of Congress approved March 4, 1919, entitled "An act to enable the President to carry out the price guaranties made to producers of wheat of the crops of 1918 and 1919 and to protect the United States against undue enhancement of its liabilities thereunder," an itemized statement covering all receipts and disbursements by the United States Grain Corporation for the month ending September 30, 1919, together with copy of a letter of transmittal from the officers of the United States Grain Corporation.

This statement embraces the activities of the United States Grain Corporation from September 1 to September 30, 1919, inclusive, showing on page 1 thereof the receipts from sales of the various products handled by the United States Grain Corporation and from other sources and disbursements for purchases of those commodities and on account of the other designated items; and also showing on page 2 thereof the itemized schedule of operating expenses for the month ending September 30, 1919.

Respectfully,

UNITED STATES WHEAT DIRECTOR,
By WM. W. EATON, Division of Licenses.

UNITED STATES GRAIN CORPORATION,
GENERAL OFFICE,
New York City, October 14, 1919.

WHEAT DIRECTOR, Washington, D. C.
(Attention Mr. Wm. W. Eaton.)

DEAR SIR: We herewith transmit, in triplicate, itemized statement of receipts and disbursements of the United States Grain Corporation, with schedule of expenses for month ending September 30, 1919.

The correctness of this statement is certified to by Leslie, Banks & Co., chartered accountants, and is vouched for by the officers of the Grain Corporation, whose signatures are hereto appended.

Very truly, yours,

(Signed) UNITED STATES GRAIN CORPORATION.
(Signed) WATSON S. MOORE, Second Vice President.
(Signed) W. A. FRICK, Secretary.
WM. BEATTY, Comptroller.

UNITED STATES GRAIN CORPORATION,
ACCOUNTING DEPARTMENT.

Statement of receipts and disbursements for month ending Sept. 30, 1919.

RECEIPTS.

| | |
|--|----------------|
| Sales: | |
| Beans | \$10,640.45 |
| Flour | 18,017,496.23 |
| Peas | 1,615.42 |
| Rice | 5,423.59 |
| Wheat | 125,254,228.32 |
| Miscellaneous commodities, European relief | 373,533.06 |
| Other receipts: | |
| Capital-stock subscriptions | 50,000,000.00 |
| European operations | 12,052,039.71 |
| Accounts payable | 179,686.37 |
| Food Administration Grain Corporation, operating account | 162,631.21 |
| Guarantee and operating expense fund | 619,415.05 |
| Interest | 195,822.92 |
| Reserve for marine insurance | 29,977.12 |
| Miscellaneous earnings | 450,758.72 |
| Total receipts | 207,351,268.17 |
| Cash balance from preceding month | 413,131,957.66 |
| | 620,483,225.83 |

DISBURSEMENTS.

| | |
|--|----------------|
| Purchases: | |
| Flour | 28,473,524.51 |
| Wheat | 178,015,614.41 |
| Miscellaneous commodities, European relief | 213,129.83 |
| Other disbursements: | |
| Furniture and equipment | 2,204.26 |
| Interest on notes payable | 10,409.46 |
| Accounts receivable | 2,728,869.87 |
| Miscellaneous reserves | 3,118,765.88 |
| Handling and storage | 91,724.15 |
| Operating expense (per schedule attached) | 284,567.66 |
| Total disbursements | 212,938,810.03 |
| Cash balance to succeeding month | 407,544,415.80 |
| | 620,483,225.83 |

AUDITORS' CERTIFICATE.

We have examined the books and accounts of the general office of the United States Grain Corporation, and we hereby certify that the above statement of receipts and disbursements prepared therefrom is correct and properly vouched.

LESLIE, BANKS CO.,
Chartered Accountants.

New York, October 21, 1919.

Schedule of operating expense for month ending Sept. 30, 1919.

| | General office. | Agencies and departments. | Total. |
|---|-----------------|---------------------------|------------|
| Advertising | | \$7,583.83 | \$7,583.83 |
| Auditing | \$2,147.08 | 3,750.00 | 5,897.08 |
| Collection fees | | 2,862.06 | 2,862.06 |
| Exchange | | 1,850.93 | 1,850.93 |
| Insurance | 725.00 | 887.10 | 1,612.10 |
| Legal | 141.42 | 150.00 | 291.42 |
| Market reports, news service, and periodicals | 328.83 | 139.29 | 468.12 |
| Office supplies | 1,290.21 | 1,928.27 | 3,218.48 |
| Postage | 246.05 | 141.87 | 387.92 |
| Rent and light | 3,530.38 | 7,592.08 | 11,123.06 |
| Repairs and alterations | 142.76 | 299.98 | 442.74 |
| Salaries | 74,419.52 | 120,597.66 | 195,017.18 |
| Sampling | | 212.00 | 212.00 |
| Stationery and printing | 4,365.57 | 15,033.31 | 19,448.88 |
| Sundries | 1,017.92 | 2,045.03 | 3,062.95 |
| Telephone and telegrams | 7,229.69 | 10,832.76 | 18,062.45 |
| Traveling | 4,057.28 | 9,869.18 | 13,926.46 |
| Total | 99,641.71 | 184,925.95 | 284,567.66 |

TREATY OF PEACE WITH GERMANY.

The Senate, as in Committee of the Whole and in open executive session, resumed the consideration of the treaty of peace with Germany.

Mr. GRONNA obtained the floor.

Mr. LODGE. Mr. President, the Senator from North Dakota has kindly yielded to me for a moment to report from the Committee on Foreign Relations a new draft of the reservations already reported, together with certain additional reservations. I ask that these may be printed in the RECORD without reading, and also printed as a document for the use of the Senate.

The PRESIDENT pro tempore. Without objection, the request of the Senator from Massachusetts is granted.

The reservations this day reported by Mr. LODGE are as follows:

"The committee also report the following reservations and understandings to be made a part and a condition of the resolution of ratification, which ratification is not to take effect or bind the United States until the said following reservations and understandings have been accepted as a part and a condition of said instrument of ratification by at least three of the four principal allied and associated powers, to wit: Great Britain, France, Italy, and Japan.

"1. The United States so understands and construes article 1 that in case of notice of withdrawal from the league of nations, as provided in said article, the United States shall be the sole judge as to whether all its international obligations and all its obligations under the said covenant have been fulfilled, and notice of withdrawal by the United States may be given by a concurrent resolution of the Congress of the United States.

"2. The United States assumes no obligation to preserve the territorial integrity or political independence of any other country or to interfere in controversies between nations—whether members of the league or not—under the provisions of article 10, or to employ the military or naval forces of the United States under any article of the treaty for any purpose, unless in any particular case the Congress, which, under the Constitution, has the sole power to declare war or authorize the employment of the military or naval forces of the United States, shall by act or joint resolution so provide.

"3. No mandate shall be accepted by the United States under article 22, part 1, or any other provision of the treaty of peace with Germany, except by action of the Congress of the United States.

"4. The United States reserves to itself exclusively the right to decide what questions are within its domestic jurisdiction and declares that all domestic and political questions relating wholly or in part to its internal affairs, including immigration, labor, coastwise traffic, the tariff, commerce, the suppression of traffic in women and children and in opium and other dangerous drugs, and all other domestic questions, are solely within the jurisdiction of the United States and are not under this treaty to be submitted in any way either to arbitration or to the consideration of the council or of the assembly of the league of nations or any agency thereof or to the decision or recommendation of any other power.

"5. The United States will not submit to arbitration or to inquiry by the assembly or by the council of the league of nations, provided for in said treaty of peace, any questions which in the judgment of the United States depend upon or relate to its long-established policy commonly known as the Monroe doctrine; said doctrine is to be interpreted by the United States alone and is hereby declared to be wholly outside the jurisdiction of said league of nations and entirely unaffected by any provision contained in the said treaty of peace with Germany.

"6. The United States withholds its assent to articles 156, 157, and 158 and reserves full liberty of action with respect to any controversy which may arise under said articles between the Republic of China and the Empire of Japan.

"7. The Congress of the United States will provide by law for the appointment of the representatives of the United States in the assembly and the council of the league of nations and may in its discretion provide for the participation of the United States in any commission, committee, tribunal, court, council, or conference, or in the selection of any members thereof, and for the appointment of members of said commissions, committees, tribunals, courts, councils, or conferences, or any other representatives under the treaty of peace, or in carrying out its provisions, and until such participation and appointment have been so provided for and the powers and duties of such representatives so defined, no person shall represent the United States under either said league of nations or the treaty of peace with Germany or be authorized to perform any act for or on behalf of the United States thereunder and no citizen of the United States shall be selected or appointed as a member of said commissions, committees, tribunals, courts, councils, or conferences, except with the approval of the Senate of the United States.

"8. The United States understands that the reparation commission will regulate or interfere with exports from the United States to Germany, or from Germany to the United States, only when the United States by act or joint resolution of Congress approves such regulation or interference.

"9. The United States shall not be obligated to contribute to any expenses of the league of nations, or of the secretariat, or of any commission, or committee, or conference, or other agency organized under the league of nations or under the treaty or for the purpose of carrying out the treaty provisions, unless and until an appropriation of funds available for such expenses shall have been made by the Congress of the United States.

"10. If the United States shall at any time adopt any plan for the limitation of armaments proposed by the council of the league of nations under the provisions of article 8, it reserves the right to increase such armaments without the consent of the council whenever the United States is threatened with invasion or engaged in war.

"11. The United States reserves the right to permit, in its discretion, the nationals of a covenant-breaking State, as defined in article 16 of the covenant of the league of nations, residing within the United States or in the countries other than that violating said article 16, to continue their commercial, financial, and personal relations with the nationals of the United States.

"12. Nothing in articles 296, 297, or in any of the annexes thereto or in any other article, section, or annex of the treaty of peace with Germany shall, as against citizens of the United States, be taken to mean any confirmation, ratification, or approval of any act otherwise illegal or in contravention of the rights of citizens of the United States.

"13. The United States declines to accept any interest as trustee or in her own right, or any responsibility for the government or disposition of the overseas possessions of Germany, her rights and titles to which Germany renounces to the principal allied and associated powers under articles 119 to 127, inclusive.

"14. The United States reserves to itself exclusively the right to decide what questions affect its honor or its vital interests, and declares that such questions are not under this treaty to be submitted in any way either to arbitration or to the consideration of the council or of the assembly of the league of nations or any agency thereof, or to the decision or recommendation of any other power."

THE LEAGUE COVENANT AND THE TREATY OF PEACE.

Mr. GRONNA. Mr. President, I was very glad to have the Senator from Nebraska [Mr. HITCHCOCK] this morning introduce petitions and resolutions adopted by certain religious organizations throughout the United States. I shall refer to some of those matters in the course of my address. I believe if there are any organizations which have great responsibilities to meet

they are organizations composed of ministers of the gospel, who profess to preach the teachings of the Immaculate Master. I have not examined as carefully as I should like to do the history which I am about to rehearse, but it has been stated by one Sherman Pettigrew that during the entire known history of the world preachers have advocated war and that during the same period there have been 2,358 years of war and only 227 years of peace. Approximately 90 per cent of the leaders in the recent war were professed Christians and the other 10 per cent were Buddhists and Mohammedans. That being the case, I believe that the preachers should not only be interested but that they ought to feel that they have some responsibilities to meet in this matter.

Mr. President, in connection with this covenant, which proposes an international organization, invested, as it is, with what I believe to be arbitrary and almost unlimited power, I feel that we should carefully look into the subject and ascertain what has been done by the Governments which are to be our partners in this colossal enterprise.

In looking at it from an absolutely unprejudiced standpoint so far as it may affect foreign nations, but naturally with a keen interest on behalf of my own country, it appears to me that before we enter into this world business on this tremendous scale it is the right as well as the duty of those of us who are representatives of the American people most carefully to scrutinize and investigate the affairs of our business partners. I shall, therefore, be compelled to refer to what has happened in the past, but in referring to what has been done by certain administrations of the various governments of the world I shall only give such as are known to be historical facts.

I hope that I may not be understood as favoring the people of any foreign nation as against the people of any other foreign nation, for such is absolutely not the case. I hope that the remarks that I am about to make will not lead to the conclusion that I owe any allegiance to any country under the sun except to the United States of America. Neither do I want to be understood as entertaining any hatred whatever for the people of foreign lands, and especially the British people or people of British descent. I consider it wholly unnecessary for me to make an effort to eulogize the English-speaking race, for American history is an illustration so complete of what the English-speaking people did to establish this Government that any fulsome praise coming from me would add nothing to the glory of their splendid achievements.

Mr. President, there is now pending in this body for our consideration a document denominated as the covenant for a league of nations combined with a treaty of peace between the allied nations and Germany.

This is the first time in our history as a nation, and so far as I know it is the first time in the history of civilization, that the people of any nation have been forced to consider and urged to adopt as one document a treaty of peace which necessarily involves the settlement of claims, of boundaries, and indemnities, together with a covenant which prescribes rules of conduct, and both legal and moral obligations of the contracting parties, to be administered by an executive council or by a supergovernment.

If this double-headed contract only provided for specific obligations and performances, setting forth in plain, unmistakable terms what the obligations are, we might overlook the novelty of this scheme. But the most unfortunate and objectionable features of the covenant are its provisions setting up a supergovernment with unlimited powers defined in vague and indefinite language.

I think it is only fair to say that the American people are very much divided on the question of what this supergovernment can and can not do. Some of us honestly believe that it would be a surrender of our American sovereignty, of our Monroe doctrine, and of control of questions affecting our vital interests to adopt this covenant in its present form. Others say that we would not surrender our sovereignty, our Monroe doctrine, and the control of questions affecting our vital interests by adopting it; but, at best, we stand divided as to the meaning of some of the provisions, and especially as to some of the most important provisions of the covenant.

Some people seem to believe that this covenant embodies a new theory of promoting peace, but it does not, because in theory as well as in practice the making of peace treaties and alliances is as old as the world itself. They may be found and are referred to in the Old Testament; they are recorded on the monuments of Egypt and Assyria, and many of them will be found in the histories of Greece and Rome.

These treaties and alliances may be classed as political, as treaties of peace, of cession, of boundary, of neutralization, of guaranty, but I know of no treaties or alliances subscribed to by any nation or nations in which there have not been specific

provisions to safeguard and protect most carefully the sovereignty of the nations or parties in interest.

It has been the common practice among the people to enter into agreements for the submission of controversies to an arbitral tribunal, or the objects may have been commercial and relating to conventions. We have had treaties with reference to the slave trade, and navigation treaties. During the last 3,000 years there have been an innumerable number of treaties and conventions relating to civil justice, and there have been confederations for special social objects. More than 500 years before the birth of Christ the celebrated treaty was made between Rome and Carthage.

In making a treaty the first consideration in importance is the object sought and the validity of the treaty. It must be made between competent parties, sovereign States. A treaty made between the United States of America and Great Britain can rightfully be called a valid treaty, because both are competent to act; they are sovereign nations. But a treaty between British India and the United States is not a valid treaty, nor would a treaty between Egypt and British India be a valid treaty, because the foreign nations named are not sovereign States.

At one time, since the beginning of the Christian era, it was held that a treaty between an infidel and a Christian State was not a valid contract or treaty. Treaties of peace and guaranty were made between Great Britain and Portugal and other European nations as far back as 1373.

This is not the first time that an effort has been made to unite the nations of the earth, to form an alliance and agree to a covenant for the promotion of peace, but it is the first time that an effort has been made to establish a supergovernment to rule every nation on the face of the earth. For centuries it has been the common practice among the nations of the earth when tired and sick of war to enter into alliances which would assure the parties to such an agreement that they would not be disturbed as long as the agreement entered into was in good faith carried out, but these agreements have too often been violated and broken. They have, nevertheless, been the means of temporarily delaying war. But never has any nation been asked, as we are now asked, to surrender its sovereignty, involving its domestic and vital interests, nor have the people of any nation been asked to send their soldiers across the sea, a distance of 3,000 miles, to police any other nation, and thus guarantee the territorial integrity of foreign nations.

As a rule, these treaties have commenced with the following words:

"In the name of the Most Holy and Indivisible Trinity" or "In the name of Almighty God."

I believe it is safe to say that all former peace treaties between nations which have been of any great importance have at the outset referred to and recognized the existence of a supreme being; but, contrary to this old custom, this treaty seems to ignore the existence of Almighty God; at any rate, it does not refer to nor recognize in any form the existence of a supreme being.

The Holy Alliance, ratified by Alexander I, Emperor of Russia, Francis I, Emperor of Austria, and Frederick William III, King of Prussia, on the 26th of September, 1815, if compared with the proposed league covenant, will be found to be in better form, and is as much superior, both in spirit and in form, to this proposed covenant as is the Master's Sermon on the Mount to the Book of Talmud or the Koran. This so-called Holy Alliance, which was a general treaty, was based upon exalted Christian principles, but still it never became effective as a diplomatic instrument. But at that time Europe had gone through ceaseless wars for more than a quarter of a century, and the people were war-torn, tired, and sick of wars, as the people now are tired and sick of wars. The people were then, as we are now, praying for wars to end and for the promotion of peace among all the peoples of the earth.

If the Holy Alliance of 1815, based as it was on the most beautiful declaration of principles to which any Christian could subscribe, was not regarded as a treaty, was not effective and lived up to, how can we expect that an unholy alliance such as is proposed at this time will promote peace? This proposed covenant sets up and establishes a supergovernment and authorizes an executive council consisting of nine men to dictate the business, the terms, and the policies of every nation on the earth with reference to both peace and war; and the people of the United States of America must take their chances with one representative on this executive council and with one vote in the assembly. This council consists of the representatives of the principal allied and associated powers, together with four other representatives of the league, and we have only one vote in the assembly as against the 32 original members of the league signatories of the treaty, and the possible 45 members of

the league if the States which have been invited accede to the covenant. How can we expect that the smaller and less powerful nations of the world will be satisfied, even though they subscribe to this autocratic and despotic constitution and covenant such as is proposed?

Fortunately, or unfortunately, some people have been blessed with a great vocabulary and a superabundance of ingenuity and skill to prepare and use phrases which are very, very pleasing to the ear, but which are as meaningless as a sounding brass or a tinkling cymbal, and which are as impossible of execution as was the Holy Alliance of 1815.

Anxious as we are, and glad as we all would be if it were possible, to reach an agreement and have an understanding with the peoples of the earth that no more wars should be fought, that no more human lives should be sacrificed on the field of battle, we must, nevertheless, not forget that the renaissance of the people among the nations of the earth is not yet complete. Some of us, at least, fear that there still linger in the hearts and minds of men selfish and unworthy motives, and we refuse to believe that it is possible for all humanity to do to others as they would others should do unto them. So let us face the situation as it actually exists, and let us deal with it in an honest, upright, and practical way. Some of us refuse to believe that the peoples of the earth have become perfect; and we need not go to foreign lands to be convinced that mortal man still possesses a desire for wealth and power, and is not altogether careful how he may obtain it. The millennium has not been reached; a state of perfection is as much of an uncertainty to-day as it was in the days when former treaties and covenants were made and broken.

So let us not attempt the impossible, but let us proceed in a sane and practical manner; let us protect our own people first—the people of the United States—with confidence and full assurance and belief that we shall in the future as we have in the past, to the utmost of our ability, assist the helpless, defend the defenseless, assist and protect the oppressed, and to the best of our ability aid and support the people of the nations which may suffer injustice. But I believe that the people of the United States will resent the idea, and will take it as an insult, to be told by a council composed mostly of aliens that we must do thus and so. Whatever we do in the future should be done with the sanction and approval of our own people, and not at the command of some autocratic or despotic foreign power which would say "Go" and we must go, and "Come" and we must come. It should be left to the free will of the American people; it must be approved or disapproved through the representatives of the people of the United States of America.

It is not necessary for me to point out what it has cost our people to make this a free and independent Nation. It is not necessary to call attention to the battles fought by the heroes of the Revolutionary days, commencing at Lexington on April 19, 1775, and ending at Yorktown on the 19th of October, 1781. It is not necessary to call attention to the War of 1812, when we were fighting for the freedom of the seas, or to the Civil War, when we had our internecine strife to perpetuate this Union. It is hardly necessary to call attention to what the brave boys did who fought in the Spanish-American War; and I am sure that no one has forgotten the heroic deeds of our American boys during this war—a war so costly in blood and treasure, a war so stupendous that no writer will ever be able to fully describe the sufferings and the losses to the entire human race. At any rate, let it not be said that these stupendous sacrifices which we have made shall be treated lightly; that the services which these young brave heroes of the United States have performed have already been forgotten by us, and that the sorrows and the tears of the mothers and other relatives and friends shall so soon be forgotten.

We know that thousands of them have sacrificed their precious blood, and for what? Was it to protect the territorial integrity of foreign nations? Was it to extend the boundary lines of aggressive European powers who wish to control the earth? Must it be said that we are ready or willing to turn over the affairs of government, the principles for which our boys believed they fought, to an executive council composed largely of aliens, and that from now on the several nationalities, many of whom are found among the nations of Europe, and also in Asia and Africa, shall be denied the right of self-determination and must submit to the mandate of this council or this league, regardless of how brutally they may be oppressed or how just their cause for freedom and liberty may be?

The most cruel war in the history of the world has hardly ended; millions of men have been killed, more have been wounded, and billions of dollars of wealth have been squandered. We have hardly withdrawn from the conflict and ceased fighting,

and yet we are asked to give up that which has always been the most cherished ideal of the human race, the opportunity of independent and separate nationalities who love liberty and freedom to establish governments fit for free people to live in.

I shall not go into the alleged causes which led us into this war, because in reading the statements made by prominent officials of the administration before the war and the statements that are being made now they differ somewhat; and listening to the debates in the Senate, it is evident that all do not agree as to the real causes, although the declaration of war itself is presumed to give the best reason for our entry into the terrible conflict.

If I may be pardoned for digressing for a moment from the consideration of this proposed treaty, I wish to make a few observations with reference to conditions as I saw them for at least two years previous to our entry into the war. But before I enter into any discussion as to what provoked or caused the unfriendly relations, and ultimately war, between the United States and Germany, I wish to say that no one could more severely condemn the wrongs and the injustices perpetrated upon the people of Belgium and France by the German army than I did, and on many occasions I said that the entry of the German army into those countries meant the ultimate defeat of the German army, and more than that, it meant the destruction of the German Government, and that the people of Germany would for generations to come have to bear the burdens and pay the penalties for the gross violations committed against the people of Belgium and France.

It is a well-known fact that we all poured out our treasure and our sympathy, and helped in every way we could the people of Belgium and the people of France before our entry into the war, and it was our plain duty to do so.

When on the 7th day of May, 1915, the *Lusitania* was sunk by a German submarine, I received from the metropolitan press of New York a telegram asking me to state my position with reference to what should be done by the United States, and the files of at least one of those papers will show that I stated very plainly that although I was opposed to war I considered that the sinking of the *Lusitania* was an assault upon our Government and an insult to our flag and our people; that it was a gross violation of international law, and unless the German Imperial Government should immediately make reparation and cease its murderous operations against the American people it was a cause for war against them by our Government.

I know that my telegram was printed in at least one of the New York papers, because it was reprinted in some of the western newspapers, which criticized me for the position I then took, and I was reminded of the fact that it was a mistake for any Member of this body to make such a frank declaration, because our President was committed to a policy of peace, and we had declared our intention to remain neutral and keep out of the European war.

An election was subsequently held, and the people of my State and of the United States indorsed the position of President Wilson in keeping this country out of war. It was nearly two years from the time the *Lusitania* was sunk until our declaration of war was made against the Imperial Government of Germany. I believed then, sir, and I believe now, that if a firm stand had been taken by the administration against the invasion of Belgium and France by the German army, and against the murder of American people regardless of whether they were on foreign ships or not; if we had made it known in unmistakable language and terms that immediate reparation must be made for the insult to our flag, and the gross violation of killing our people by sinking the *Lusitania*, and that submarine warfare must immediately stop or we would be compelled to resort to war, as we did two years later—I say if we had at that time taken such a firm stand and asserted our rights as a great government, I believe, sir, that there would have been no war between the United States and the Central Powers of Europe. If we had taken the position that the German army must withdraw from Belgium and France or face the inevitable, if we had used more firmness instead of a shilly-shallying policy, there is every reason to believe that the German Government would have known that they would meet with an ignominious and disastrous defeat, because it would not take a military genius to know that Germany would have to surrender, as she could not hope to be successful against her European enemies and against the United States.

I am not mentioning this as a criticism of the administration because I have stated that President Wilson's policy for peace was indorsed at the election of 1916. I know, because I personally participated in that campaign, and any argument that might be advanced against President Wilson's administration would immediately be met by his supporters with the assertion that he must be reelected in order that our beloved country

should be kept out of European wars. That is what reelected President Wilson in 1916 to the high position which he now holds. I am not relating this as a matter of criticism against the administration; I am simply reciting an historical fact. But after the election, what happened? Conditions seemed to change. The war clouds which had been visible only upon the horizon soon spread their gloomy darkness over our entire land; and it now became apparent that the sinking of the *Lusitania* was a violation of international law, a violation of American rights and decency; and the friends of the administration who formerly had pictured the horrors of war, and who had promised the American people that we would keep out of it, now changed from angels of peace to advocates of war.

All these changes took place suddenly; it all happened, so to speak, over night. But no one was permitted to discuss it. The freedom of speech was not only limited, but denied and prohibited; and, unless you were in a position and willing to say "So sayeth the king," you were denominated a pro-German and a traitor; and even before the war was declared it was treason to express an honest opinion. No one was permitted to ask for information as to what had been done or what had happened to cause this sudden change, and history already reveals that much misinformation was given to the people of this country.

The Angel of Peace had now vanished, and the country became inflamed with the spirit of war, and if any Member of this or the other body of Congress should take a very limited portion of time to discuss the question, he was at once consigned to be guillotined, or to face a firing squad.

As one member of this body, I felt that sufficient information was not given by the administration to warrant this sudden change; without at least some discussion upon a resolution which meant so much to America and to the American people, involving, as it did, the lives of millions of our people and the expenditure of untold sums of treasure. On this fateful day, the 4th day of April, 1917, I was one of the six Senators who voted against this resolution. I do not wish to take up the time of the Senate to go over the brief statement which I then made, but I ask unanimous consent to insert at the conclusion of my remarks the statement which I then made.

The PRESIDENT pro tempore. Without objection, leave is granted.

Mr. GRONNA. Mr. President, I believe now, as I did then, that we had as much right to oppose the resolution as any other Member had to speak and vote for it. I well remember how some of you, who are now clamoring for this covenant which you say will give an immediate peace, were then acting as demons of war—nothing could be discussed, no information could be obtained even by a Member of Congress, we had to take orders from our Chief Executive, and regardless of whether we saw honest mistakes made or not, no one would be allowed to correct them. But you say now that you hate war, and you believe in peace. You know as well as I do that this covenant will not be a promoter of lasting peace; you know as well as I do that no covenant can be made to promote a lasting peace unless it is based upon the fundamental principles of justice and equality. You need not be alarmed and you must not console yourselves with the false hope that the people of the country have so soon forgotten this horrible conflict, so costly to them, a war which robbed them of so many of their loved ones, and which placed upon them the burdens of taxation which it will take generations to overcome. You need not console yourselves with the idea that they will so soon forget the sudden change and the hasty action which you then took.

The citizens of the United States unanimously supported the administration during the war. It was their patriotic duty to do so after war was declared; to have done otherwise would have been disobedience to law, and disloyalty to our country. Undoubtedly there were many honest, well-meaning, and law-abiding citizens who were at a loss to understand what compelling force caused our entry into the war so suddenly after President Wilson's second inauguration. Most of the people did not know that the revolutionary outbreak in Russia to a large extent changed the European conditions. Had the Russian armies continued to fight the armies of Germany and Austria-Hungary, the war would undoubtedly have ended much sooner than it did; there would also have been less demand for American troops, because Germany would have been defeated if Russia with her once powerful armies had been able to carry on a vigorous fight. Nevertheless, a great number of loyal American citizens believed that we should either have entered the war at an earlier time or else stayed out altogether. That was honest opinion.

I made the statement that if war should be declared I would do my full duty. Mr. President, I can truthfully assert that my

promise has been made good, as four young men bearing my name, and of my nearest kin, participated in the horrible conflict on the battle fields of France, three of whom were in the trenches as doughboys and the fourth one served in the heavy Artillery until the day the armistice was signed. All of these boys were under age and not subject to conscription. None of them sought a swivel-chair position, but fought on the battle fields of France and elsewhere in the trenches and on the fields until the armistice was signed. We contributed in a most substantial way in every way that we could to the support of our Army, and no red-blooded American could afford to do less after our declaration of war than to aid to the extent of his ability to help furnish food, supplies, and money to successfully prosecute the war.

Of course I am not saying this boastfully, but I want to remind the character assassins and detractors of the past that the success of the war so far as America is concerned can not be attributed to those who spoke longest and loudest and did the shouting. Throughout this entire land the patriotic men and women, regardless of party or creed, regardless of nationality or descent, most loyally contributed in every way possible, and it was but natural for them to do so, because their sons were in the struggle; they were doing the fighting, and were the most potential in winning the war.

I have called attention to this because very naturally the question will be asked, Why are those who opposed the declaration of war now against this covenant and this treaty?

Mr. President, we are not opposing the treaty of peace. If the Shantung robbery were not included in the provisions of the treaty, I should not oppose the treaty; but I am opposing the covenant, which in all fairness ought to be considered as a separate document by this body and by the Chief Executive of our land.

Answering for myself only, I wish to say that there never was presented to the American people a document so replete with inconsistencies and with provisions so dangerous and full of pitfalls as the proposed covenant. There never was in the history of our country presented to this legislative body a document so inimical to the best interests of our country and our people, and it really seems to me that every provision affecting American interests must have been conceived in iniquity and born in sin. In the first place, it is established on the basis of inequality and injustice, and it adds to the power of the stronger nations as against the weaker nations, and worst of all it takes from the people of dependencies, of empires, and kingdoms the God-given right to rebel against tyranny and injustice.

If we ratify this covenant as proposed, we bind ourselves and our posterity to support the dominant powers of every nation that belongs to this league, and to participate in their wars, their struggles, and their troubles; and the question of self-determination will have been completely defeated and destroyed. If we ratify this treaty, we, as members of the league, must live up to all its provisions, both moral and legal. If we do not intend to do so, let us not obligate ourselves to do so. If we approve this treaty we would have nothing to say as to which side of the question we shall make our fight, because that would be determined by the council or by the league. This covenant in its present form sets up an autocracy with powers unrivaled or unheard of among the family of man. It would take from the American people their sovereign rights; it would involve them in the wars of Europe, Asia, and Africa whenever the members of the league might see fit to demand our service; and as to our representation in the league, it discriminates against us.

The senior Senator from New York [Mr. WADSWORTH] the other day called attention to the fact that the American Nation is composed of peoples from many foreign lands. America has been an asylum for the oppressed and the poor; it has brought to our shores virile men and women, men and women possessing the very best and strongest minds, all of whom loved freedom and independence more than they respected the emperors, kings, and rulers of Europe. Most of these men and women have come to our shores to obtain for themselves their own freedom and liberty; they were anxious to become citizens of the United States because they knew that they would share the blessings and the liberties of the natural-born citizens of our land; they were anxious to renounce all their allegiance to the rulers of the lands from whence they came. They have been obedient to law, and while their hearts may throb with friendly feelings toward the land of their birth—and it is only natural that they should feel friendly toward their own kin—they have always been mindful of the responsibilities and the obligations which they owe to their adopted country. There may be exceptions to this rule, but I am glad to say that there are mighty few who

have disgraced themselves and their ancestors by showing disobedience to law and disloyalty to their adopted land. This is now their country, and they are in soul and spirit loyal to America; the Stars and Stripes is their banner and they have manifested their loyalty and their eagerness to defend our flag, because thousands, yes, hundreds of thousands, of these young men have offered to sacrifice, and thousands have sacrificed, their all on the fields of battle. These men know that men of foreign birth can pay the greatest tribute to their ancestors and to the country from whence they or their ancestors came, by becoming loyal, patriotic, and law-abiding citizens. *And let me say right now that no man of foreign birth who comes to this country to better his condition, who advocates the destruction of government, who refuses to be obedient to law, or who looks upon citizenship as an empty honor or an informal ceremony, has any right whatever to ask to become a citizen of the United States and share the blessings of liberty, freedom, and justice; and such men should not be permitted to live in the United States, but they should be sent back to the country from whence they came.*

Mr. President, I am aware that a few foreigners who had the opportunity to land on American soil have been unfaithful to the promises they made when they were permitted to enter our shores. Some of them have not become citizens of this country. For such men I shall make no apology, because I believe that the man who asks to share our blessings should also assume his share of our burdens and responsibilities.

But I am not defending or speaking for individuals. I am calling attention to the different nationalities in our country. It is of the patriotism of nationalities I speak and not of individuals.

Speaking of our heroic soldiers and their ancestry, is it possible that anyone will dare to question the loyalty and the valor of the American soldier of Irish or British blood, of Scandinavian, of French, of Italian, of Finnish, of Russian, or even of German, or any other blood or ancestry? To do so would be a malignant falsehood, because millions of American boys, descendants of citizens of foreign birth, went to the field of battle with only one purpose in view, and that was to win a glorious victory for the United States of America. Who will challenge the Americanism of these patriotic heroes, all of whom stood ready to sacrifice their all upon the battle fields of France and elsewhere for the protection of the Stars and Stripes, and for the honor and the glory of America?

It is true that we are called a representative democracy, and this is one of the fundamental principles which the American soldier had in mind; that the administration of our Government shall be in the hands of the many and not of the few; that nobility and rank shall not be recognized, but that our citizens when distinguished shall be preferred to public service upon merit and honor, and, first of all, because of loyalty to America and to American institutions and ideals. If excellence and honor are recognized, let it be based upon meritorious service, so that we shall always have laws which secure equal justice to all alike in their private disputes, and let this principle extend to public and international disputes. If we do so, it will not be necessary for us to copy from our neighbors; it will not be necessary for us to enter into any rivalry with the institutions of others, because we shall prove to the world that the fundamental principles enunciated by the fathers still live, and that America shall, in the future as in the past, exemplify in deed as well as in word the teachings of Washington, Jefferson, the Adamses, Monroe, Lincoln, and other great heroic statesmen, who through their love for the people of America served for the promotion of justice, liberty, and freedom.

Mr. President, I now come to the covenant which I shall briefly discuss.

ARTICLE I.

In the very first paragraph of article 1 of the covenant we find this provision:

The original members of the league of nations shall be those of the signatories which are named in the annex to this covenant, and also such of those other States named in the annex as shall accede without reservation to this covenant.

Why was it necessary in order to become an original member of the league to provide that the covenant must be agreed to without reservations, which might mean without explanation, and also without the right of any of the signatories to place a definite construction upon the language or provisions of the covenant?

In the second paragraph of article 1 we find this provision:

Any fully self-governing State, dominion, or colony not named in the annex may become a member of the league if its admission is agreed to by two-thirds of the assembly, provided that it shall give effective

guarantees of its sincere intention to observe its international obligations, and shall accept such regulations as may be prescribed by the league in regard to its military, naval, and air forces and armaments.

In the first place, this paragraph makes clear that the league is not a mere debating society as has been contended by the President of the United States; secondly, it means that any dominion or colony may become a member of the league if agreed to by two-thirds of the assembly.

The self-governing dominions or colonies under the control of Great Britain being recognized as original members of the league of nations and as signatories to the treaty of peace, it will become more difficult in the future for any other dominion or colony to be recognized in like manner as a member of the league.

A great deal has been said with reference to the privilege granted a member of the league to withdraw from the league.

We find in the third paragraph of article 1 this language:

Any member of the league may, after two years' notice of its intention so to do, withdraw from the league, provided that all its international obligations and all its obligations under this covenant shall have been fulfilled at the time of its withdrawal.

Under this provision it might become not only difficult, but absolutely impossible for any nation to withdraw from the league, because it would be easy for the council or the league to impose international or other obligations which would estop the applicant from withdrawing, because the requirements might be of such a nature as would be impossible of fulfillment.

ARTICLE 2.

Article 2 provides that the action of the league under this covenant shall be effected through the instrumentality of an assembly and of a council, with a permanent secretariat. This is a very simple and plain provision, and can not easily be misconstrued.

If we analyze this article we must conclude that what is possible to be done under the authorities granted this league may be done under the exertion of power or force, or under the agency, activity, or operation of the council or of the league. I think we shall all agree that whatever shall be done or executed through this organization will be done through the instrumentality of the assembly and of the council. We must come to the conclusion that it means that the action, operation, or whatever is being done, is effected, executed, performed, enforced, accomplished, or fulfilled through the operation of the assembly and the council.

ARTICLE 3.

The first paragraph of article 3 reads as follows:

The assembly shall consist of representatives of the members of the league.

The second paragraph reads:

The assembly shall meet at stated intervals and from time to time as occasion may require at the seat of the league or at such other place as may be decided upon.

Both of these paragraphs are plain, and can not easily be misconstrued.

The third paragraph, however, is one that is not so easily understood because it deals in the broadest sense with all matters within the sphere of action of the league or affecting the peace of the world. Quoting the whole paragraph, it reads:

The assembly may deal at its meetings with any matter within the sphere of action of the league or affecting the peace of the world.

There never was, nor do I believe that there ever will be, any man possessing the wisdom fully to realize the scope, the full interpretation and meaning of this paragraph. Who can say what may be affecting, or what may not be affecting, the peace of the world? Any and every exertion or performance of any human being may to a greater or lesser degree affect the peace of the world. Any and all things done by a government will to a greater or smaller degree affect the peace of the world. So that we may easily inquire, What is there to prohibit, or what vital question may arise which does not come under the jurisdiction of this league? It may be a financial or an economic question, it may be a religious or moral question, or it may be a question of government; and it seems to me that this body of men must necessarily be possessed with more wisdom than was possessed by Solomon in order to meet the responsibilities devolved upon them.

Is it good statesmanship to trust our vital interest to be decided by this council consisting of one American only as against all the other members, most of whom are aliens; to trust them to decide our questions of vital interest such as education, immigration, and other questions most vitally affecting the people of our Nation?

ARTICLE 4.

Article 4 provides that the council shall consist of representatives of the principal allied and associated powers, together with representatives of four other members of the league. This means

that Great Britain, Japan, France, Italy, and the United States shall be permanent members of the council, and that four other members of the league shall be selected by the assembly from time to time in its discretion; and until the appointment of the representatives of the four members of the league, Belgium, Brazil, Spain, and Greece are named as members. It also provides that with the approval of a majority of the assembly the council may name additional members of the league, whose representatives shall always be members of the council. The council, with like approval may increase the number of members of the league, to be selected by the assembly for representation on the council.

It will be observed that the four members to be selected by the assembly may be so selected from time to time in its discretion. It is fair to presume that there will be no change in the membership of the council unless the countries which are dominating the league shall desire that such a change be made. It is also fair to presume that the membership of the council will not be increased unless Great Britain and her allies should desire that it be increased, as it is plain to us all that the same countries which control the assembly will also control the council.

In this article it is provided that the council may deal at its meetings with any matter within the sphere of action of the league, or affecting the peace of the world.

In article 3 it is provided that the assembly may deal at its meetings with any matter within the sphere of action of the league, or affecting the peace of the world. It is obvious, therefore, that both the assembly and the council have jurisdiction and may deal at its meetings with any matter within the sphere of action of the league or of the council, affecting the peace of the world.

It has been argued by the President and his supporters that Great Britain does not have six votes. Technically that may be true, but it is quite certain that upon any and every question affecting the welfare of Great Britain or any of her colonies, she will have six votes, and the United States will have only one vote. It has also been argued that Canada can not become a member of the council. It may be true that she will not become a member of the council, because, as I have said, in all probability no change whatever will be made, but if a change is desired—and that change can only be made by Great Britain and her allies, as she will be in control—there is absolutely no reason why Canada can not become a member of the council.

I desire to read from the speech of the Senator from Missouri [Mr. REED] made on September 22, 1919, on page 5710 of the CONGRESSIONAL RECORD:

On September 3, Sir Robert Borden, premier of Canada, in addressing the Canadian Parliament, declared, in answering the inquiry, "What are the powers and what is the standing of Canada in the league?"

"The new and definite status of the dominions at the peace conference is further manifested in the constitution of the league of nations. Since they had enjoyed the same status at the peace conference as that of minor powers, we took the ground that the dominions should be similarly accepted in the future international relationship contemplated by the league. The league of nations commission, while inclined to accept this in principle, did not at the outset accept all its implications, as was apparent in the first draft of the covenant. This document, however, was professedly tentative. The dominions' case was pressed, and in the final form, as amended and incorporated in the treaty of peace with Germany, the status of the dominions as to membership and representation in the assembly and the council was fully recognized. They are to become members signatories of the treaty, and the terms of the document make no distinction between them and other signatory members."

Now, get this, for I am coming back to it—

"An official statement as to the true intent and meaning of the provisions of the covenant in that regard was secured by me, and is on record in the archives of the peace conference."

The British premier goes on to state that a similar question arose in respect to the constitution of the international labor organization and in substance declares that the representatives of the dominions and colonies forced its revision so as to recognize their status in that organization as it had been recognized in the league covenant. He then declared:

"I hope the House will realize that the recognition and status accorded to the British dominions at the peace conference were not won without constant effort and firm insistence. In all these efforts the dominions had the strong and unwavering support of the British prime minister and his colleagues."

Further on he discusses the future of the British Empire, and in substance declares that the colonies are to be recognized as nations in their dealings with the British Empire itself, held together, however, by what he says is a British league of nations.

Referring back to the statement just quoted, I call attention to the clause in the statement of Sir Robert Borden:

"An official statement as to the true intent and meaning of the provisions of the covenant in that regard (the status as to membership of the dominions and colonies) was secured by me and is on record in the archives of the peace conference."

That official statement filed in the archives of the peace conference was undoubtedly disclosed in the House of Commons of Canada on September 9 by Hon. Arthur Lewis Sifton, minister of public works, and one of the representatives of Canada at the Versailles conference, and one of the plenipotentiaries who signed the treaty for the Dominion.

After concurring generally in the statement made by Sir Robert Borden as to the struggles of the Dominion's statesmen to secure the full right to take part in the peace conference, he said:

"And, undoubtedly, they did work—

The Canadian representatives—
"In conjunction with the permanent officials of the British Government * * * for the purpose of assisting in the formation of the treaty that would be of great advantage to Great Britain, to the advantage of the British Empire, and, as far as possible, a fair and honorable treaty for the world at large."

That is the British view. It is a photograph of the British soul. I do not say that with unkindness for Great Britain; she is not a monster, but she is a great power that first secures great advantage to herself and then, as far as possible, a fair and honorable treaty for the other fellow. I continue reading; I should not have broken the thread of my discourse. I read on:

"That work—

That is, the work of securing this recognition—
"was performed in connection with what I may call the peace treaty proper."

I continue reading:

"The leader of the opposition contends that we can not take any part in the league of nations.

"The President of the United States contends that they can not take any part in the league of nations; that they are only members of the council; that they have not any authority; that they are just admitted to a debating society. Let us see what these Canadians say:

"The leader of the opposition contends that we can not take any part in the league of nations. Let me say that Clemenceau, President Wilson, and Lloyd-George disagreed absolutely with the honorable gentleman in that contention."

"In proof of this he submitted the following letter signed by Clemenceau, Wilson, and George:

"The question having been raised as to the meaning of article 4 of the league of nations covenant, we have been requested by Sir Robert Borden to state whether we concur in his view that upon the true construction of the first and second paragraphs of that article representatives of the self-governing dominions of the British Empire may be selected or named as members of the council. We have no hesitation in expressing our entire concurrence in this view. If there were any doubt it would be entirely removed by the fact that the articles are not subject to a narrow or technical construction."

"(Signed)

G. CLEMENCEAU.
WOODROW WILSON.
D. LLOYD-GEORGE.

"Dated at the Quai D'Orsay, Paris, the 6th day of May, 1919."

I suppose that is sufficient proof that Canada's representatives can become members of the council if it is decided to make a change. Of course, as I said in the first place, if it is deemed best to leave matters in statu quo, there will be no change; but if the change is made it must be plain to every Senator here or to any man who has carefully read this document that Canada may become a member of the council as well as a member of the league, because it is agreed that she is one of the signatories and original members of the league.

ARTICLE 5.

This article provides as follows:

Except where otherwise expressly provided in this covenant or by the terms of the present treaty, decisions at any meeting of the assembly or of the council shall require the agreement of all the members of the league represented at the meeting.

It is clear that in any and all business of any great importance it will be held that the decision at any meeting of the assembly or of the council must be unanimous. It would be argued that this is in the interest of the United States, which has only one vote. Let us see from a practical standpoint how it would work out. If the United States were one of the parties to a controversy, she would not, according to one of the paragraphs of article 15, be entitled to vote, because that paragraph reads:

If a report by the council is unanimously agreed to by the members thereof other than the representatives of one or more of the parties to the dispute, the members of the league agree that they will not go to war with any party to the dispute which complies with the recommendations of the report.

This clearly indicates that if the parties which are not parties to the dispute shall agree, it will not be necessary to submit the matter to arbitration. But the question may be decided by unanimous vote, leaving out the countries of the parties which are the parties in dispute.

I have heard it stated so often on this floor that this council will have no important work to perform. I have heard that argued by lawyers who have made themselves famous as students of law. I ask, in all seriousness, how can any right-thinking man who can read either the English language or the French language or both stand upon this floor and assert that no important function can be transacted by this council in the face of that language?

ARTICLE 6.

This article only provides for the modes of procedure by the league, and also how the secretaries, etc., shall be appointed.

ARTICLE 7.

This article provides where the seat of the league shall be established, and who may attend. It also provides that representatives or members of the league and officials of the league engaged in business of the league shall enjoy diplomatic privileges and immunities.

ARTICLE 8.

This article is a significant one. It demonstrates that those who framed this covenant, to a small extent, at least, recognized that on the maintenance of peace depends the reduction of national armaments to the lowest point consistent with national safety, etc., but it leaves it to the council to decide what the reduction of armaments shall be.

Quoting the second paragraph of this article, which reads:

The council, taking account of the geographical situation and circumstances of each State, shall formulate plans for such reduction for consideration and action of the several Governments.

The brief paragraph following provides that "Such plans shall be subject to reconsideration and revision at least every 10 years."

The fourth paragraph provides:

After these plans shall have been adopted by the several Governments, the limits of armaments therein fixed shall not be exceeded without the concurrence of the council.

And yet you say the council does not perform any important function, when, as a matter of fact, the council has it in its power to say what each nation shall have as a matter of armaments, of standing armies and of navies.

To anyone who understands the English language or the French language it must be apparent that the executive council of the league dictates the policy of its members with reference to armaments.

The fifth paragraph of this article is not only significant, but alarming. It provides that:

The members of the league agree that the manufacture by private enterprise of munitions and implements of war is open to grave objections. The council shall advise how the evil effects attendant upon such manufacture can be prevented, due regard being had to the necessities of those members of the league which are not able to manufacture the munitions and implements of war necessary for their safety.

While the delegates to this convention recognized that it was necessary in order to maintain the peace of the world to reduce armaments, yet they proceeded on the theory that it will be necessary for all the members of the league to be provided with armaments, so it is provided that due regard shall be paid to such States as are unable to manufacture for themselves munitions and implements of war.

In the last paragraph of this article it is provided that all the members of the league must furnish full and frank information as to the amount of armaments as well as their military, naval, and air programs, and such of their industries as are adaptable to warlike purposes. Let us see, now, what that means. That means, of course, that the question of production as well as the enterprise of munitions and implements of war must be reported to the league. In other words, this super-government will have the authority to demand full and frank reports with reference to the condition of the industries of its membership, whether food products or munitions and implements of war, and for this purpose there is provided in article 9 a permanent commission which shall advise the council on the execution of the provisions of articles 1 and 8 on military, naval, and air questions generally.

ARTICLE 10.

We now come to the celebrated article 10, which, I think, is one of the most objectionable in the entire proposed covenant:

The members of the league undertake to respect and preserve as against external aggression the territorial integrity and existing political independence of all members of the league. In case of any such aggression or in case of any threat or danger of such aggression the council shall advise upon the means by which this obligation shall be fulfilled.

I seriously doubt if any two members of this body or any two citizens anywhere would agree upon the construction and the meaning of this article. I may be entirely mistaken in my analysis and my conclusions, but I interpret it to mean that the members of the league agree to preserve and protect the territorial integrity and the existing political independence of all the members of the league. I construe the last sentence of this paragraph to mean that in case of any aggression or assault, or in case of any threat against any member of the league, the council shall advise what steps are to be taken and what means are to be employed in order that the obligations entered into shall be fulfilled.

The proponents of this league argue that this article does not mean that the United States or any other member of this league shall be compelled to go to war or to assist in maintaining the territorial integrity or the political independence of any foreign nation unless it be so directed by the legal authorities of the government of any member of the league. I wish I could believe that, Mr. President. In other words, if the United States should become a member of this league she would not be compelled to send her boys across the sea to wage war against any nation unless Congress should so direct.

In all probability the people of the United States would likely do what the friends of this measure say they must do, but it is very clear to me that if the executive council should command that the United States send her soldiers abroad to protect some European, Asiatic, or African nationality, and if the United States should refuse until Congress had so declared, we would have violated article 10, because the language is so plain and so clear that it can not be misunderstood by anyone.

If we join this league we are both morally and legally bound to abide by all the provisions of it, and article 10 provides in unmistakable language that if the council directs that war shall be declared against some nation because of some violation of the territorial integrity and the existing political independence of such nation, the council shall advise upon the means by which this obligation shall be fulfilled, and certainly it would do so.

How any red-blooded American who loves American liberty and American independence can subscribe to a proposition of this sort is beyond my comprehension. With the existing inequalities and the discriminations prevailing if this covenant is adopted it seems to me unthinkable that any real American should be willing to agree to a provision so eminently unfair and so dangerous and destructive of our American Government.

ARTICLE 11.

Article 11 provides that:

Any war or threat of war, whether immediately affecting any of the members of the league or not, is hereby declared a matter of concern to the whole league and the league shall take any action that may be deemed wise and effectual to safeguard the peace of nations. In case any such emergency should arise the secretary general shall on the request of any member of the league forthwith summon a meeting of the council.

It is also declared to be the friendly right of each member of the league to bring to the attention of the assembly or of the council any circumstance whatever affecting international relations which threatens to disturb international peace or the good understanding between nations upon which peace depends.

This article makes it possible for any member of the league to summon a meeting of the council, and to interfere with any war or threat of war, whether it affects any of the members of the league or not. In other words, this supergovernment undertakes to dictate and regulate the affairs of every nation on the face of the globe. Can it be possible that such a policy would promote peace? And does anyone believe that it would be possible for the dominant powers of the league at any time in the future to reduce armaments to a minimum? Is it not reasonable to believe that munitions and armaments must be increased on a tremendously large scale, so that peace may be enforced by war, and that no small nation will at any time in the future have the right to demand reform, regardless of how oppressed, or of how brutal the treatment of its people may be by the dominant nation which may happen to be a member of the league?

In other words, if any of the European, Asiatic, or African peoples shall be threatened with war, our boys must again cross the ocean to police the boundary lines of Europe, Asia, and Africa, possibly to extend boundary lines. If you want them to do that, vote for it. I for one am not in favor of it. This is limitless autocracy and oligarchy complete; self-determination will forever be a thing of the past. Peoples who want to be freed from the oppression and brutality of the rulers of the dominant powers would never, as long as this league is in existence, enjoy their inherent right to withdraw and become a separate government dominated by any certain nationality.

I wonder what has become of the idealistic 14 points; the freedom of the seas; of the right of the people to self-determination, to rule themselves in accordance with their own views? The executive council of the league of nations might just as well adopt the slogan used by that distinguished autocrat, Louis XIV, who said, "I am the State," because it would be the State; it would be the controlling factor; the men composing this executive council would indicate and control the policy of every nation on the globe.

The last paragraph of this article provides:

It is also declared to be the friendly right of each member of the league to bring to the attention of the assembly or of the council any circumstance whatever affecting international relations which threatens to disturb international peace or the good understanding between nations upon which peace depends.

To use an old time-worn phrase, "that may embrace and constitute a multitude of sins." It may affect the economic affairs of this Nation, as well as international trade and other matters affecting international transactions.

ARTICLE 12.

In this article we agree, if we become a member of this league, that if there should arise between us any dispute likely to lead to a rupture we will submit the matter either to arbitration or to inquiry by the council; and we agree in no case to resort to

war until three months after the award by the arbitrators or the report by the council.

In the second paragraph it provides:

In any case under this article the award of the arbitrators shall be made within a reasonable time, and the report of the council shall be made within six months after the submission of the dispute.

Standing alone there could be no objection to this article; but in the article which follows, article 13, the members of the league agree that whenever any dispute shall arise between them which they recognize to be suitable for submission to arbitration, and which can not be satisfactorily settled by diplomacy, they will submit the whole subject matter to arbitration, and so forth.

If there is a dispute in interpretation of the treaty—

As to the existence of any fact which if established would constitute a breach of any international obligation, or as to the extent and nature of the reparation to be made for any such breach, are declared to be among those which are generally suitable for submission to arbitration.

In article 12 the members of the league agree that if there should arise any dispute which would lead to a rupture, they would submit the matter either to arbitration or to inquiry by the council. And in article 13 it is provided that in case of any such dispute the court of arbitration to which the case is referred shall be a court agreed upon by the parties to the dispute.

The provision is very indefinite, and the only choice is to have the matter left either to arbitration or to inquiry by the council. Then it is agreed that in no case will either party resort to war until three months after the award by the arbitrators or of the report of the council.

ARTICLE 13.

This article is to some extent similar to the preceding one in that it refers to arbitration. Under the first paragraph of this article it is agreed that whenever any dispute shall arise between the members which they recognize to be suitable for submission to arbitration, and which can not be satisfactorily settled by diplomacy, they will submit the whole subject matter to arbitration.

Paragraph 2 submits for arbitration any question with reference to the interpretation of any question of international law or with reference to any fact which if established would constitute a breach of any international obligation, also as to the damages which may be assessed or the reparation to be made for any such breach.

ARTICLE 14.

Article 14 provides for the establishment of a permanent court of international justice, which court shall be competent to hear and determine any dispute of international character which the parties thereto submit to it. It might also give an advisory opinion upon any dispute or question referred to it either by the council or by the assembly.

ARTICLE 15.

This article clothes the council with great authority and power in that it provides:

If there should arise between members of the league any dispute likely to lead to a rupture, which is not submitted to arbitration in accordance with article 13, the members of the league agree that they will submit the matter to the council. Any party to the dispute may effect such submission by giving notice of the existence of the dispute to the secretary general, who will make all necessary arrangements for a full investigation and consideration thereof.

In case the council shall fail to effect a settlement of the dispute, the article provides that a statement shall be made up, giving the facts regarding the dispute, and also the terms of settlement thereof as the council may deem appropriate. If the dispute is not settled, the council shall either unanimously, or by a majority vote, publish a report containing a statement of the facts of the dispute and the recommendations which are deemed just and proper in regard thereto. In other words, the council is authorized to decide the case by a majority vote by declaring what it deems as just and proper. On the other hand, if the council fails to reach a report unanimously agreed to by the members thereof other than the representatives of one or more of the parties to the dispute, the members of the league reserve to themselves the right to take such action as they shall consider necessary for the maintenance of right and justice. In other words, the league may, if it sees fit, make its decision and enforce such penalties as "it" may deem to be right and just.

It is claimed by the friends of this measure that in no case shall the council or the league interfere with any domestic question, but the eighth paragraph of this article provides:

If the dispute between the parties is claimed by one of them, and is found by the council to arise out of a matter which by international law is solely within the domestic jurisdiction of that party, the council shall so report, and shall make no recommendation as to its settlement.

That means, in my judgment, that the council shall be the judge and shall decide whether or not the question is a domes-

the one; so it is not fair to say that the United States or any other country which shall become a member of this league can decide for itself what is or is not a purely domestic question.

In the next paragraph we find that the council has the authority, and it may in any case under article 15 refer the dispute to the assembly. This may be done at the request of either party to the dispute; so it will not do to say that the league is a mere "debating society" because it has the power and authority, and may have to decide some of the most important questions affecting the nations which are parties to the dispute.

The last paragraph of this article provides:

In any case referred to the assembly, all the provisions of this article and of article 12 relating to the action and powers of the council shall apply to the action and powers of the assembly, provided that a report made by the assembly, if concurred in by the representatives of those members of the league represented on the council and of a majority of the other members of the league, exclusive in each case of the representatives of the parties to the dispute, shall have the same force as a report by the council concurred in by all the members thereof other than the representatives of one or more of the parties to the dispute.

But it is argued by the proponents of this covenant that neither the council nor the assembly renders any verdict or award. Such arguments are not warranted by the facts if we are to assume that the assembly or the council will use the authority and the power granted to it under article 15 as well as under article 12.

ARTICLE 16.

This article in very plain language provides that:

Should any member of the league resort to war in disregard of its covenants under articles 12, 13, or 15, it shall ipso facto be deemed to have committed an act of war against all other members of the league.

How can any Senator, in view of this language, argue that neither the council nor the assembly has the authority to render a verdict or an award when it is declared that in the case of a disregard for that which may have been done by either the council or the assembly shall of itself be deemed as an act of war against all members of the league? I can not see how anyone can justify his position by using the argument that neither the council nor the assembly has any power. I do not know by what mode of reasoning anyone can come to any other conclusion than that both the assembly and the council have almost plenary powers in the matter of settlements between members as well as between those who might not be members of the league. The authority and the powers of the council are authorized to the extent of recommending to the several governments concerned what effective military, naval, or air force the members of the league shall severally contribute to the armed forces to be used to protect the covenants of the league.

The other day I listened to a speech of the able Senator from Illinois [Mr. SHERMAN], and I heard the Senator from Nebraska [Mr. HITCHCOCK], in questioning the statement of the Senator from Illinois as to what extent the burdens of military, naval, or air forces may be imposed upon the Government of the United States, state specifically that the expense would be borne in proportion or in accordance with the proportionment of the expenses of the International Bureau of the Universal Postal Union. I do not believe that any such provisions can be found in this covenant. That reference and provision which is found in section 6 has reference only to the expenses of the secretariat or to the expenses of the office of the secretary.

It would be not only possible, but probable, that in the case of a dispute which could not be settled under the provisions of article 12 or under article 15, that the United States would be assessed to the very extreme, and that the main burdens would fall upon our country both as to the men required to enter the war as well as the armaments required. *So that the United States would become the pack horse for the Governments of Europe, Asia, and Africa;* not only would we have to sacrifice our men in the settlement of these disputes, but we would have to pay the bills. I think that this language is so plain that it can be easily understood by anyone who can read either the French or the English language, or both, or who wants to understand it.

ARTICLE 17.

If this covenant has been written for the sole purpose of doing justice and promoting peace, why was it necessary to set up an autocratic standard such as is provided for in article 17, where it refers to a dispute between a member of the league and a State which is not a member of the league, or between States not members of the league? Why not use the same yardstick in the measuring of justice to be dealt out to all the nations of the earth if we are proceeding upon the theory that this measure is complete and replete in its provisions for its dealings not only with the members of the league, but in meting out justice and righteousness to humanity wherever it may be found?

Anyone who has seriously studied this measure from an unbiased and unprejudiced standpoint can not help but be convinced that it is autocratic in the extreme, and drastic in its provisions, and untold misery may be imposed upon the weaker nations under the domination of this supergovernment.

I am not going to take the time to analyze the provisions of every article of this covenant, but I want to briefly refer to article 21, which reads as follows:

Nothing in this covenant shall be deemed to affect the validity of international engagements, such as treaties of arbitration or regional understandings like the Monroe doctrine, for securing the maintenance of peace.

This, as has been so ably argued by those who are opposed to this treaty, is said to be intended to protect our Monroe doctrine. The Monroe doctrine, as I understand it and as has been said, is not an international agreement; it is an American doctrine, promulgated and enforced by the American Government without any understanding whatsoever with any European, Asiatic, or African nation. It is wholly an American doctrine, and with which we want no European interference or agreement. I think that most any citizen who is capable of reading and writing the English language could have written a provision which would have more clearly interpreted the intent and the purpose of the Monroe doctrine.

ARTICLE 22.

Mr. President, this article was so well explained in a recent editorial in the Washington Post that I have taken the liberty of using that editorial. This article was there very ably analyzed. I ask that the editorial be printed in the RECORD without reading.

The PRESIDING OFFICER (Mr. THOMAS in the chair). Without objection, it is so ordered.

The editorial referred to is as follows:

[From the Washington Post, Monday, Oct. 20, 1919.]

DEFINING FUTURE OBLIGATIONS.

From the expressions of individual Senators on both sides of the Chamber and from the drift of the voting upon proposed amendments it is now quite certain that the outcome of the long discussion of the peace treaty will be ratification of the text without amendment in a resolution making such reservations as will thoroughly safeguard the vital interests, honor, and independence of the United States.

The reservations that have been tentatively agreed upon by a majority of the Senate will not only keep the United States safe, but will furnish such valuable suggestions to other nations as will cause them, without doubt, to make similar reservations. The result will be a league of nations incomparably better fitted for the maintenance of the world's peace than the league that would have been evolved from the covenant adopted at Paris. A simple illustration will emphasize this point. The reservation which will provide that Congress shall determine when and how this Government shall intervene in behalf of another nation under article 10 will be infinitely more potent than the original provision, because American intervention under the reservation will be made only in response to the combined will of the American people, constituting an action which no other nation, however ambitious or powerful, would care to resist. Without the reservation, however, the action of the United States might be merely a diplomatic move, similar to some of those made by the American delegates to the Paris conference, which might or might not earn the fear and respect of other powers.

The nature and effect of the reservations tacitly agreed upon are now well known and are generally believed to be adequate. We believe, however, another reservation should be made which heretofore has received little attention. This reservation should provide that no commitments or any kind tending toward the acceptance by the United States of a mandate over any foreign territory or people should be valid without the express consent of Congress.

The truth is that the Senate is still in the dark concerning the matters dealt with in article 22 of the covenant. There are ambiguities and hidden meanings in this article which may be of immense consequence to the United States, not only in the dispatch of American troops to various parts of the world, but in the amicable relations of this Government with four other great powers. If there is anything in the covenant which the Senate and people should understand in every implication before committing themselves to it it is the article relating to mandates. Yet almost nothing is known to the Senate, and absolutely nothing is known to the public. If there is nothing to know, as is sometimes asserted by advocates of the covenant, then the Senate should guard against future deadly surprises by providing that the United States shall not be committed in any way except by consent of Congress.

The little that is known by the Senate indicates that immediately upon ratification of the treaty the United States will be found to have incurred a "moral obligation"—a binding obligation, in other words—to send armed forces to pacify and govern the territory loosely described as "Armenia." This region is of indefinite boundaries, but is usually understood to be a portion of the late Turkish Empire, consisting of vilayets stretching from the Black Sea to the Mediterranean, between Anatolia and Persia, and inhabited largely by Armenians, but also by Kurds, Tartars, and other turbulent and uncivilized tribes. There is a mixture of races and religions in that backward region which makes for murders and wars as long as the population exists.

But the pacification of Armenia would be only one phase of difficulty. What about the disposition of Armenia after having taken over the mandate? How could the United States get rid of the country? It could not turn it adrift, nor could it turn it back to the league, which has no machinery for administering a colony. If it should attempt to turn it over to some other power a quarrel would almost surely ensue, such as now threatens the good relations of France, Italy, England, and Japan in various directions. On the other hand, the powers may take mandates over other regions, and administer them in a

manner contrary to the interests of the United States, and in violation of the spirit of the covenant. In that case violent disputes might develop in spite of the efforts of the league council.

The inevitable tendency of article 22 is to embroil the United States in foreign quarrels. Therefore the Senate should make specific reservations concerning it.

Mr. GRONNA. Mr. President, on January 8, 1918, President Wilson made an address to the Congress of the United States, which, to my mind, is the most memorable of all the addresses made by the President during the war. In this address are embodied the so-called "14 points," and I might say that if the provisions of the proposed covenant were in accord with the principles laid down by the President at that time, this treaty would meet with my approval.

In this address, President Wilson lays down certain basic and fundamental principles without which no nation can long endure; at any rate, it is quite certain that no nation, great or small, can escape the horrors of war and other difficulties unless the basic principles laid down by the President are put into practice.

In this speech the President advocated the following:

1. Open covenants of peace openly arrived at, after which there shall be no private international understandings of any kind, but diplomacy shall proceed always frankly and in the public view.

Mr. President, that sounds well to any citizen who is at all interested in the welfare of mankind, and had this declaration impressed itself upon the minds of the members of the peace conference, there would have been no condonation of the Shantung robbery committed by the military powers of Germany during the Boxer War. If the secret treaties which were perfected during this war had been taken into consideration, we would not be confronted to-day with a treaty which proposes to take from one of our friendliest and most loyal allies and give to another ally a portion of the territory of China taken from her at a time when the Chinese people were unable to defend themselves.

You say China is weak. Of course, she is weak in militarism and warfare. China has lived up to the doctrine of Confucius, whose teachings are still fresh in the memories of the Chinese people, whose dust still rests in the bosom of the earth in the K'ung Cemetery outside of the city of K'uh-fow, and who, as we are told, in the fourth month of the year 478 B. C. passed away from among men.

Almost 24 centuries have passed since this sage and reformer died, and while dynasties have vanished and governments have crumbled the words of this great reformer still live, and tributes are paid to his memory as much so as we pay our tributes to the memory of the Father of his Country. Yet we are about to take from this peaceful race of people this hallowed ground where lie the remains of this wise and once powerful man who exercised his influence for the relief of his people and for the betterment of humanity. It was Confucius who said to his disciples, of which we are told he had more than 3,000, "Remember this, my children, oppressive government is fiercer and more to be feared than a tiger." This statement was made upon the occasion of meeting a woman who was weeping and wailing at a grave. The sage stopped and sent one of his followers to ask the reason of her grief. He was told that her husband's father and her husband and also her son were killed in this particular place by a tiger. Being asked why she did not leave so fatal a spot, where there was so much danger of being devoured by carnivorous animals, what was her reply? She responded that there was no oppressive government at that place. She preferred to face those wild animals rather than to live in a country where the people were being oppressed.

Millions of Chinese people still worship the memory of this reformer, and as I have said, although it is almost 2,400 years since his remains were laid at rest, millions of Chinese people meet at least once a year upon this hallowed spot, there to worship in their own way their god and to pay a tribute to the memory of Confucius. Yet we are proposing to condone the wrong done in 1898 and approve the secret treaty made by Japan during the recent war when she threatened to overpower the Chinese people unless these concessions were made. We are now approving this robbery and this theft.

The Chinese are an honest and industrious class of people, most of whom live by cultivating the soil. They religiously follow the principle and doctrine of minding their own business. China is a peaceful nation. For centuries her people have been taught to believe and to practice the doctrines of peaceful relations with all the nations of the earth. Shall it now be said because the people of China believe in peace that she must be dismembered; that part of her most sacred territory shall be taken away from her people because she does not happen to be a military nation?

I may not be able to comprehend this philosophy, but to me it seems a cold-blooded, cruel, and wicked procedure. To take Shantung from China is a crime against the people of China; it is a violation of the fundamental laws of society; it is a crime against civilization and against the highest standards of morality. We can not afford at this time, or at any time, to take from this friendly ally this most valued portion of her territory and give it to her most dangerous opponent and enemy; and it shall not be done with my vote.

I am no more pro-Chinese than I am pro-Japanese, but it is not a question of whether we favor China or Japan; it is a question of doing even-handed justice, and this treaty will be but a rope of sand if enacted into law in its present form, with all its imperfections, with all its discriminations which will breed dissension and war, and can not promote the principles of peace.

Let me tell you that the Christian principles of peace can not be enforced with the cannon or the sword, or by the use of force or armaments of any kind; they can not be established and promoted without the principles of equality and justice. Yet we are asked to ratify this treaty in this form, when every proponent of it has admitted that to take Shantung from China is not in accordance with the principles of justice and morality. Most of those who are for the treaty have already admitted that it is a wrongful act.

The time to right this wrong is now; the time to correct this mistake is right now, and not at some future time.

I almost get impatient with men who have been sent here to represent 110,000,000 people standing upon this floor and arguing that we must not do anything which would have the effect of sending this document back for further consideration. I lose my patience with statesmen of that caliber. It might just as well be said that the men who represented the nations at the peace conference are superior to God Almighty. You have admitted that robberies and thefts have been committed; you are condoning those robberies and thefts when you say you do not want the treaty to go back with an amendment. What a pitiful exhibition when men of high character, representing more than a hundred million people, care more for the opinion of 40 men who sat at Versailles and who made this imperfect document than they do for right and justice.

There is not a Member of the Senate who will say that this is a perfect treaty; there is not one Senator on the floor who will dare to say to the American people that it has been framed upon the broad principles of humanity, of equality, and of justice; but "So saith the king," and we must follow him.

I listened with a great deal of interest to the speech of the able Senator from Nebraska [Mr. NORRIS] with reference to the persecution of the people of Korea by the Japanese, and I would advise every minister of the gospel in this broad land to read the great speech made by the statesman from Nebraska, who stated that he did not belong to any church. He may not belong to any church, but from what I know about Christianity, God Almighty has implanted in his heart the fundamental ideas upon which Christianity is based, and I advise and ask you preachers and ministers of the gospel to read the speech of the Senator from Nebraska.

It is of very little use for any of us to lift our eyes to heaven, invoke the blessings and the power of God, and ask that something shall be done which we know is contrary to Christian and moral principles. It is worse than sacrilege to invoke the aid of an omnipotent God to do something which we ourselves have acknowledged to be wrong and unjust. By doing so we acknowledge that we have adopted the doctrine of Kaiser Bill, and our prayers will not be heeded or heard, but ignored, as his prayers were ignored.

Those who oppose this treaty are not only criticized but denominated as advocates of war and the enemies of peace. The opponents of this measure are also charged with stirring up race prejudices; they are called pro-German and friendly to Germany, as advocates of Bolshevism, and friends of the hyphenated Americans.

It must be clear to anyone who is a sincere lover of peace and a firm believer in the Christian faith that the criticism does not come from men who have been converted either to peace or to the Christian faith and religion. Anyone who is fully committed to a righteous plan must concede something to his enemies as well as to his friends. Anyone who is a lover of and a believer in the doctrines of peace must not discriminate against the Irish any more than the English, or against any nationality, not even the German people or citizens of German descent. If you do, you are proceeding upon a false doctrine, and your advocacy of a peace measure will be as impotent and as meaningless as were the prayers of the scribes and the Pharisees in the days of centuries ago.

To be consistent, we can not claim that we advocate peace and at the same time do the things which we know will provoke war. We are either in favor of peace or we are in favor of war. We can not serve two masters. We are either believers in the teachings of Christ or we are dissenters.

I find in St. Matthew, twenty-second chapter, beginning with the twenty-fourth verse, the following:

But when the Pharisees had heard that he had put the Sadducees to silence, they were gathered together. Then one of them, which was a lawyer—

It seems there were lawyers in those days, too. I am glad we have them now—

asked Him a question, tempting Him, and saying, Master, which is the great commandment in the law?

Jesus said unto him; Thou shalt love the Lord thy God with all thy heart, and with all thy soul, and with all thy mind.

This is the first and great commandment and the second is like unto it. Thou shalt love thy neighbor as thyself.

On these two commandments hang all the law and the prophets.

The question will naturally be raised, Who is our neighbor? According to the teachings of this same Christ, all men are our neighbors.

So I say I do not believe that many who have spoken so often and so eloquently in favor of this covenant are preaching the true gospel of Christ, nor the basic principles of the fundamental laws which promote peace.

The second paragraph of the President's 14 points reads:

Absolute freedom of navigation upon the seas, outside territorial waters, alike in peace and in war, except as the seas may be closed in whole or in part by international action for the enforcement of international covenants.

Will some Senator who may have given this treaty more careful study than I have point out any provision in this covenant or in the treaty which embodies this principle laid down by President Wilson, and which is conceded by us all to be of more than ordinary importance? This paragraph, like the first one, has either been forgotten or rejected.

In paragraph 4 the President touches upon one of the most fundamental principles absolutely necessary to the promotion of peace and the elimination of wars.

The fourth point, or paragraph 4, reads:

Adequate guaranties given and taken that national armaments will be reduced to the lowest point consistent with the domestic safety.

The first paragraph of article 8 of the covenant provides:

The members of the league recognize that the maintenance of peace requires the reduction of national armaments to the lowest point consistent with national safety and the enforcement by common action of international obligations.

This is the only place in this proposed covenant where reference is made to the reduction of armaments.

In the President's fourteen points it is proposed that adequate guaranties shall be given that national armaments will be reduced to the lowest point consistent with domestic safety. In the covenant it is mentioned that the members of the league recognize that the maintenance of peace requires the reduction of national armaments to the lowest point consistent with national safety and the enforcement by common action of international obligations—quite a different proposition from that advocated by the President in his address on January 8, 1918.

Anyone having studied this covenant and who wishes to place an honest interpretation upon its provisions, must conclude that the questions which I have raised with reference to the President's fourteen points are not embodied in this covenant, and unless it shall be argued that all the President's addresses made during the war—the fourteen points included—shall ipso facto become a portion of the covenant or the treaty, you must admit that the humane principles advocated by the President have been overlooked or rejected.

There is one important matter which the peace conference overlooked, and that is the fundamental principles of Nature's God, which can not be violated.

Some four thousand years ago, when there was but one language in the world, and the earth was of one speech, the generations of Noah undertook to perpetuate this condition, and in order to do so they attempted on the plain in the land of Shinar to construct a great building in the form of a tower. Undoubtedly this was done with the very best of intentions, as it may be with the best of intentions that this league is advocated by its proponents, who profess that it will promote peace. The people of that day wanted to build a monument so high that it might reach unto heaven. They wanted to assume a certain name lest they be scattered abroad upon the face of the whole earth; but we are also told that the Lord came down to see the city and the tower which the children of men builded, and the Lord said—

Behold the people is one—

He recognized that they were one—

and they have one language, and this they begin to do, and now nothing will be restrained from them which they have imagined to do.

Go to, let us go down, and there confound their language, that they may not understand one another's speech.

So the language of these people was confounded so that they could not understand each other, and they were much confused; and ever since that day the people of this earth have been scattered upon the face of all the earth. It seems that some mighty power deemed it unwise to have but one people and one language, and so their language was confounded and the people were confused and scattered broadcast over the earth.

It is evident to me from the reading of the history of this event that this omnipotent power did not desire that man's individuality should forever be lost, and so the people were scattered, and many differing languages came into use, all for the purpose of establishing individualism among the family of man.

I think we all realize that a larger amount of good might be accomplished if all the people of the world would unite upon some altruistic and Utopian principle, but we also agree that such a thing is impossible, and that it would be just as bad for all the people to unite on something which in itself is destructive of that which is good; and so through this individualism man's power has been reduced to a minimum to accomplish that which is either good or bad.

There are hundreds, yes, thousands, of nationalities in the world to-day, and in my judgment it would be just as difficult and just as impossible to unite them all, as it was in the days when the people of Noah had in their minds the idea of constructing the Tower of Babel. So let us keep these nationalities separate, and let them work out their own form of government so long as they do not interfere with us and peoples of other governments.

This league consisting of a few men would be exactly what the men composing it would make it. If they should happen to be high-minded men, men of altruistic and Utopian ideas, the league might become a power for good. On the other hand, if its membership should happen to consist of weak and selfish men, the league would become just as powerful and effective in the administration and practice of injustice and oppression, and it might result in endless wars—wars which could not cease until this supergovernment was destroyed.

President Wilson, in one of his points, in speaking of all of the Russian territory and her people, lays down a principle which is fundamental not only to the people of Russia but to every nationality on the face of the globe.

VI. The evacuation of all Russian territory and such a settlement of all questions affecting Russia as will secure the best and freest cooperation of the other nations of the world in obtaining for her an unhampered and unembarrassed opportunity for the independent determination of her own political development and national policy and assure her of a sincere welcome into the society of free nations under institutions of her own choosing; and, more than a welcome, assistance also of every kind that she may need and may herself desire. The treatment accorded Russia by her sister nations in the months to come will be the acid test of their good will, of their comprehension of her needs as distinguished from their own interests, and of their intelligent and unselfish sympathy.

The President's reference to the people of Russia might well apply to the people of Ireland, to the people of India, of Finland, or to any nationality that feels oppressed and is capable of setting up its own form of government, where people may enjoy, to the fullest extent freedom and liberty. The inherent right of nationalities to set up their own form of government could easily be denied under the provisions of this covenant. Self-determination would become a forlorn hope, and this to me is one of the most objectionable features of this covenant.

Let us suppose that Ireland, whose population has been reduced since 1841 from more than 8,000,000 of people to nearly half that number, should insist on becoming a free and independent people. But you say it is none of our business to interfere with Ireland or with England, and I agree with you. We refuse to be bound by an international agreement setting up a superstate, and which establishes a principle of status quo in every kingdom and monarchy, and no matter how much oppression there might be, the people who are oppressed would have no right to protest, and could, of course, have no hope of becoming a free and independent people. I think we all agree to that. So I say that I agree with you that we should mind our own business and not interfere with the affairs of foreign nations unless it is for the purpose of assisting the weak and the oppressed.

Why should we in America with our 110,000,000 of people, a larger portion of which consists of a foreign population; when we take into consideration that from 1820 to 1918 more than 33,000,000 foreigners came to our shores and settled on American soil; more than 8,000,000 have come from Great Britain and

Ireland, almost 3,500,000 from Russia, more than 4,000,000 from Italy, 500,000 from France, 5,500,000 from Germany, 2,250,000 from the Scandinavian countries, and since 1861 more than 4,000,000 have emigrated from Austria-Hungary, millions of people have come from a great many of the other nations, most of whom have come from Europe, a very few have come from Asia, less than 300,000 from China, and only a little more than 200,000 from Japan—with this condition, why do we wish to interfere with European affairs?

It is absolutely true that a large proportion of these aliens have become thoroughly Americanized; it is also true that nearly all, if not all of them, are loyal to America, but naturally they would have a more friendly feeling for the land of their birth than they would have for some other nation in Europe or in Asia. But, regardless of this fact, we undertake to meddle in the affairs of every nation on the face of the globe. For America to meddle in all European and Asiatic squabbles is unwise, and would lead to many an unnecessary conflict and war. The people of Ireland, like the people of Scandinavia, Great Britain, Germany, or France, who come here to make this their home, have sworn allegiance to our flag; they have manifested their willingness on many occasions to sacrifice their all for the honor of our flag and for the glory of our people.

No member of this body can more earnestly desire the adoption of a world plan that would stop wars and promote peace than I do, and while there may be great doubts as to the possibility of perfecting such a plan I most earnestly desire to help in any way that I can to arrive at some practical plan which will help to reduce standing armies and armaments to a minimum, so that instead of building up a military machine we may set up a more perfect plan, one in which all the people of the respective nations shall be the deciding factors whether or not we shall have another war.

To adopt this proposed covenant would be to give the lie to the principles for which we said we fought. We were told by the leaders of Great Britain, of France, of Italy, of Japan, as well as by the leaders of this Government, that this war was waged in the interest of humanity and democracy, in the interest of self-determination of oppressed people. How can we at this moment, before this horrible war has completely ended, before peace has been officially declared, how can we look any liberty-loving human being in the face and say that we are carrying out our pledges in good faith, when as a matter of fact this treaty provides for the creation of a superstate, of government by a very few? And while it may not be the purpose that it shall be autocratic and despotic, it surely must be conceded that there is a possibility, and a probability, that the administration of this supergovernment would become the most autocratic, and possibly the most despotic of any organization the world has ever known.

Mr. President, I was born on American soil, but my parents both came from the little Kingdom of Norway, and I am not ashamed of being a descendant of people of that splendid race. It is true that they are not rich in material wealth, but the people of that little kingdom compare favorably with the people of any other nation on the face of the earth in morality, in obedience to law, in education and in art, in music and in literature. It can not be truthfully said that the people of Norway consist of an inferior race. They love liberty and freedom more than their own lives. Ever since the dawn of civilization the Scandinavian people have been looked upon as a class of intelligent, intellectual, and law-abiding people, people who love liberty and justice, and who love peace.

I assume that none of you are interested in the history of the Scandinavian Peninsula, but I am going to outline briefly some of the historical events of the three little kingdoms, which are now separate, but which at one time composed one kingdom.

At one time the three Scandinavian Kingdoms were all under the administration of one government. There is very little difference in their language, their customs, and their ideals. The people of Denmark have the same language as the people of Norway, and the people of the three Kingdoms all fully understand the language of each other. So we may truly say that they are a homogenous people. They are people with the same habits, the same customs, the same love for liberty and justice. They all believe in religious liberty and they all belong to the same denomination.

Denmark's history dates back to the dim twilight of the Sagas, out of which shines the figures of her heroes, their brave deeds, as well as their daring voyages. I want you who are not ashamed of acknowledging that you are of Celtic descent to pay a little attention to this history, because I assure you it is correct. It was here that the Celts first had their home, and from these shores the Angles and the Saxons sailed in the fifth century to conquer England, and in their place the Danes of

Zeeland, a little island north of Denmark, settled on the deserted lands.

We are told that the missionary Ansgar baptized a Danish king in the year 826, but even in that day, I am sorry to admit, Christianity did not hinder the Danes from making their usual inroads into the territory of the Franks or check the piratical voyages of the famous vikings. The islands were first united by Gorm the Old, one of the old viking pirates. At that time the mainland, under one ruler, opposed Christianity, but Gorm had a grandson named Canute who became the conqueror of England, who was a zealous friend of Christianity. But as time went on the nobles grew powerful by means of the adoption of the feudal system. In this country to-day we do not have the feudal system, but we have a system which in many ways is just as inimical to the best interests of American ideals and American Government as the feudal system was to the Danes and to the Scandinavians at that time. The nobles in those days took advantage of their fellowmen and ground down the once free people to mere serfs.

Waldemar I (1157-1182) conquered Norway, while Waldemar II conquered German and other lands, which were lost under his successors. Under the humane rule of that splendid queen, Marguerite, who ruled Denmark, Norway, and Sweden from 1375 until 1412, the three rival Scandinavian kingdoms lived together quietly and peaceably.

I have often been asked by the good ladies who champion the cause of votes for women why it was that the Scandinavian countries were in favor of woman suffrage. I have always told them that I wished they would not ask me that question, because it indicated to me that they had failed to read Scandinavian history.

But following the reign of Marguerite, Christian I—1448-1481—founded what is known as the Oldenberg line of kings, and these were maintained on the throne until 1863. But, mark you, up to this time the kings were chosen by the people; but Christian II, who ruled from 1513 to 1523, was such a tyrant that he lost his throne and his kingdom. He was recalled by the Danes, who chose his uncle, Frederick I, to be their king.

That is why people of Scandinavian descent have always been in favor of what you denominate radical laws, such as laws for the referendum and for the recall of men who do not carry out the wishes of the people who elected them. The Scandinavian people get that idea from the early history of their country.

At this time Sweden was forever separated from Denmark. From this time on, democracy lost its sway, the people lost their power, nobility was so firmly established that it became the controlling factor, and it was not until the early part of the eighteenth century that the peasants became free from serfdom and more liberal laws were enacted.

It is a peculiar coincidence, Mr. President, that nobility and democracy never travel the same road. They do not go together.

We find in 1801 that Copenhagen was bombarded by the British under Nelson, and the second bombardment took place in 1807, when the Danish people had to surrender. From 1807 to 1813 Denmark was in the hands of Napoleon. It was then that Denmark was forced to relinquish Norway, and from that time on Norway and Sweden became united.

I have very briefly, and I might say incoherently, recited this bit of history relating to the Scandinavian peninsula, not only for the purpose of paying a tribute to these peoples, but to show that even in a land where the people may be of the same race and the same religion, the same customs and the same ideals, differences will arise. The climatic conditions of these three little kingdoms differ, and the temperament of the people is not altogether the same. At any rate, the difference in the make-up of these people was sufficient to divide them into three separate and distinct classes, so that they became three separate independent governments.

If a league of nations such as is here proposed had been in existence during the struggles of these people, there would not be the tranquillity and the cemented friendship which now exists between these three nations, because it might have been impossible for them to separate.

The Scandinavian people are not a cowardly people, neither do they love war, as was shown in 1905, when, on the 7th day of June, Norway declared its independence from Sweden, and became a separate kingdom, ruled by one king; and all this was done without shedding a single drop of blood. Sweden, who at that time had more than twice and almost three times as many people as Norway, yielded.

But it was not altogether because these people differed somewhat temperamentally that strifes and wars were carried on between these peoples of practically the same kin and blood. The real issue causing the troubles was of an economic nature. For almost a century the people of Norway protested against the

injustice of refusing them their own consuls, of being able to do their business in their own way. All exports and imports had to be sent through the consulate of Sweden, and very naturally the people of Norway were unwilling to pay into the treasury of Sweden an extra profit. They demanded the right to appoint their own consuls and to transact their own business.

Now, those of you who find fault with the people of Ireland because they are protesting against British rule, let me say to you that the condition which existed between Norway and Sweden also exists between England and Ireland. I can find no fault with the people of Ireland for protesting against the injustice of compelling Ireland to conduct her national business through the consulate of Great Britain. Ireland has more people and is larger in area than many of the small nations of Europe. It has a larger population than Norway, Denmark, and Switzerland; it has a larger area than Belgium, Holland, Denmark, and Switzerland. Ireland has an area of 32,531 square miles, and claims a population of 4,392,219.

Mr. President, I said at the outset of my remarks that I have no hatred for any European people. I respect the people of one nationality as much as those of another, but let me call attention to the fact that Ireland, which has an area of little more than 32,000 square miles, and which has slightly more than 4,000,000 people, did a business last year of more than \$820,000,000, and more than 95 per cent of that was done with England, only 5 per cent of it being done outside of England. Serbia did a business of \$47,500,000; Greece, \$61,500,000; Bulgaria, \$75,000,000; Portugal, \$115,000,000 Roumania, \$205,000,000; Norway, \$210,000,000; Denmark, \$325,000,000; Sweden, \$375,000,000.

Mr. President, I hold no brief for the Irish people, and I would not even mention or refer to the business of any nationality were it not for the fact that you are compelling us to go into partnership with these people, you are compelling us to take in as an equal partner Great Britain, with her six votes, and you are satisfied with but one vote. Is that satisfactory to you? You will also receive the blessing that will come in the course of time. Do not expect that any curses will come, because we have reached that Utopian stage where we are perfect and we can not commit any wrong, of course. It would be sacrilegious to say that people from now on will never commit any wrong, and I am not here to make that definite statement.

I repeat what I have just stated, that Sweden yielded to the demands of the people of Norway without resorting to war. The Swedish people did not surrender because they were a cowardly people. The noble and humane King Oscar, a philosopher as well as a great statesman, who loved peace more than war, knew too well the history of his country; the history of the great Gustavus Adolphus and that of Charles XII, as well as he knew the history of his own administration. He knew that Gustavus Adolphus, who reigned from 1611 to 1632, became famous, and was adorned by one of the great writers as the father of Swedish poetry and as a man who loved humanity, and that Charles XII was among the great generals and military leaders of his day, and I say that he is to-day recognized by students of history as one of the greatest leaders and greatest generals.

He knew what happened to Stockholm when invaded by the Danes in 1389, and what happened when captured by Christian of Denmark in 1520, when the terrible massacre followed, known as the "blood bath of Stockholm." He had studied the warlike career of the gifted but reckless King Charles XII, who reigned from 1697 to 1718, who humbled Frederick IV of Denmark; and Peter the Great of Russia who defeated Augustus of Poland and nearly ruined his country. No greater general can be found in the annals of history than Charles XII, but King Oscar had more love for peace and humanity than he had for fame and war, and so he yielded to the demands of the ministers of the cabinet of Norway, and on that historic day, June 7, 1905, Norway, like Sweden, became a free, independent Government.

To my mind, this beautiful lesson taught us by this great King should be printed in our textbooks and taught the children in our schools.

There are only two roads to follow: Either follow the military road to war, or follow the road to peace and prosperity.

King Oscar was a real lover of peace; he was a humanitarian; he laid down and followed the Golden Rule as announced by the Master in His Sermon on the Mount.

I call the attention of some of these advocates who are so earnest in their prayer for the adoption of these provisions without the crossing of a "t" or the dotting of an "i" that none of these things must be written in the textbook which the children of to-day read. Those men advocate militarism and

war. I have listened to them upon many occasions. The two do not go together; you may be sure of that. You can not harmonize them. They will not mix any more than water will mix with oil. You are either for militarism and war or you are for peace. You can not be for both. Just remember that.

Charles XII, on the other hand, chose to follow his inclination as a military genius. He humiliated monarchs, destroyed governments, and captured armies, but ultimately he failed as others have failed, and as others will fail who choose the method of murder and destruction rather than the path of righteousness and peace.

On the question of peace and war there can only be two classes; and to be consistent we must either recognize the necessity of a military government or we must follow in the path of the noble King of Sweden, and promote peace by righteous and just dealings rather than to enforce peace by the sword.

This proposed treaty provides for the enforcement of peace by force, by the sword, by waging war, and it takes from the peoples of every nation on the face of the globe the right to have a voice in the matter. So in this matter, so important to the welfare of the human family, you are setting up a super-government ruled by what we hope may be a few benevolent despots; but, if we miss our guess, so that instead of directing their energies in the interest of benevolence, justice, and peace, if they desire to become autocrats, there is absolutely nothing to prevent them from becoming the greatest tyrants the world has ever known; and yet you call this a league to establish peace.

Perhaps I am unable to understand the meaning of the words which this covenant and this treaty contain; but understanding it as I do to be a breeder of troubles and war and not a covenant for the promotion of peace, I must follow the dictates of my own conscience; and believing as I do that some of the provisions of this covenant are in direct contravention of the Constitution, I must again follow the dictates of my own conscience, as I do not want to violate the oath to which I have subscribed to "support and defend the Constitution of the United States against all enemies, foreign and domestic," to "bear true faith and allegiance to the same," to "take this obligation freely without any mental reservation or purpose of evasion," and to "well and faithfully discharge the duties of the office."

I have spoken of the early history, and referred to the traditions of the Scandinavian people, simply for the purpose of illustrating how difficult it is for peoples who differ temperamentally, although they may be of the same race and the same religion, to agree on all issues without dissension and troubles which may lead to war. You may then ask, Why is not this true of America? Happily, it does not apply to America, because every man who comes to America for the purpose of becoming one of its citizens relinquishes all that which may be inimical to American citizenship, and he becomes a full-fledged American. Let me say right here that any man who asks for citizenship in any other way is not worthy of the splendid opportunity of becoming a citizen of this great land—"the land of the free and the home of the brave."

Any man of foreign birth who is not willing to subscribe to that oath, and to live up to it, is not worthy of citizenship in this country. Now, think you, because I have spoken feelingly and friendly of the people whose descendant I am, that I would yield any of America's sovereignty in the interest of the peoples of that land? If you do, you are sadly mistaken.

I heard the able Senator from Massachusetts [Mr. WALSH] say a few days ago, with reference to the great Irish race, that rather than to yield American rights or American sovereignty he would prefer to see that splendid country sink into the sea than to do anything which would interfere with their citizenship or take from us our rights or our sovereignty. I confess that this is my feeling with reference to the land from whence my people came. I hope and believe that the time will never come that these people will ask America or ask American citizens to surrender American sovereignty or to disobey American laws and dishonor the American flag. I hope and believe that such shall never happen, but if it should, with me America is first and America last. The Stars and Stripes is my only banner, and I shall protect that banner wherever it may be found against any and all enemies, no matter what the cost may be. I shall as cheerfully give up life itself, as I would be willing to part with and give up what little treasure I might possess, in the defense of this unsullied emblem and in the defense of the United States of America.

We have been told that we should hate our late enemies. A big man will hate and resent insults, and he will also fight when he has to fight, but when he sees before him his conquered foe prostrate and helpless, begging for mercy, and promising to

make reparation so far as he is able to make it, the victor's hate is transformed into a spirit of commiseration and sympathy, and while still firm in his demands for justice from his conquered foe, he turns his face to the future and demands from his opponent only a just and equitable settlement, and if such agreement is carried out, the parties to the combat again become friends.

It is the small man with a small mind who loves to hate and continually quarrels and fights.

We hated the English during the Revolutionary War; we hated them in 1812, when they stopped our ships and kidnapped our sailors; and we especially hated them when Admiral Cockburn, on August 24, 1814, seated himself in the Speaker's chair in this Capitol and asked his fellow Englishmen, "Shall this harbor of Yankee democracy be burned? All for it will say 'aye.'" And a general shout of ayes settled the question. The torch was applied not only to this Capitol Building, but to the President's house and other public buildings.

But we do not now hate the British people; we have long ago forgiven them for this wrongful act. We have years ago turned that hate into amity and friendship. A really civilized man never continues to hate his opponent if that opponent makes an effort to correct his mistakes. It is the uncivilized, heathen barbarian who continually hates, and, like Satan himself, never loves anybody or anything, but always hates.

We hated the Germans during this war. It was only natural for us to do so. They were killing our soldiers and destroying our property whenever the opportunity afforded. We still hate and we always shall hate their wrongdoings, but we shall not always continue to hate the German people any more than our hatred continued for the British people. It was the unlawful acts of the British which we hated; it is the unlawful acts and the wrongdoing of the Germans that we hate and which we shall always hate.

The German autocracy and the German Government have been destroyed; the German people must now see to it that a real representative form of government is established. The German people must accept the inevitable. The burdens placed upon them by their autocratic and military government must be patiently endured by the German people. Militarism destroyed Germany; it was not the people of Germany who destroyed it.

Mr. President, I realize that accompanying all wars waged by the sword is an intellectual warfare where great minds, like great armies, clash, and where the one does its best to outdo the other. Yes, greater even than the clash of swords is the opposition of great minds, more confusing even than the roar of guns, and ultimately more effective than explosive shells is the mass of skilled and ingenious arguments. The cannon is fired and the roar and detonation soon subsides, but the words spoken here in the Senate and recorded in the RECORD, and the thoughts which they clothe, go much further than any cannon shot, and while their effects may not be apparent to all, they surely will in time to come become an instrumentality in fashioning governments, and if the arguments used and the words spoken are wrong and misleading, they are more destructive of liberty and freedom and human welfare than the shells fired are to the soldiers upon the field of battle.

A year has passed since the armistice was signed, yet we are facing an intellectual warfare as fierce, desperate, cruel, cunning, and unrelenting as the bayonet assaults in the trenches.

CONCLUSION.

We say the war is over; we are not complaining so much about our expended treasure which reached such an enormous amount during this horrible conflict; we are willing to share the burden of taxation if the principles for which we said we fought are put into operation throughout the world.

Our soldier boys who crossed the sea to fight on the fields of Europe in the greatest and most destructive war in the annals of history, and who through the providence of God have returned to their homeland, are not complaining that they went and fought and suffered; their sacrifices were great, but if the principles for which they so gallantly fought are put into practice, they will not complain. But what shall we say of those who have not returned, and who never will return to see their loved ones? What shall we say of the fifty thousand or more whose lives were snuffed out on the battle fields of France? They have sacrificed their all for the United States of America. How can we pay a fitting tribute to their memory and commemorate their deeds and achievements? If they were here, and if this covenant and treaty were left with them, what would they do? Are we not safe in believing that the first thing they would do would be to safeguard America and American interests? Are we paying a tribute to the honor of their memory unless we really live up to the fundamental principles for which

they fought? What a beautiful and unselfish example these heroes, the living and the dead, have furnished, having fought on the battle fields of a foreign land to make men throughout the world free, but first of all to honor and protect the United States of America.

Believing that these were the uppermost thoughts in the American soldiers' minds, should we not with the greatest reverence and respect carry out the principles for which they all fought and for which so many sacrificed their precious blood? What shall we say to the 50,000 mothers and fathers, and to the thousands of brothers and sisters and widowed mothers, to the widows, sons, and daughters of the heroes who have sacrificed their all? These men who gave up their lives to protect our land from a foreign foe would at least expect that this great Government of ours shall in a more substantial way than by mere words of praise assist the parents, the widows, and the orphans who need assistance. Can we do less than to aid substantially those who are financially oppressed because they have lost those upon whom they depended for support? Thousands of these heroes now rest in unmarked graves. To be remembered they need no costly monuments; their deeds will always be fresh in the minds and memories of their relatives and friends.

If we believe that these heroes made this great sacrifice for any other purpose than that I have named; if we believe that the acquisition of territory, the changing of the boundary lines of the nations of Europe or elsewhere, or guaranteeing the territorial integrity of all the nations of the earth were the principles for which these men fought, we may vote for this proposed covenant. But if we believe that first and foremost they fought for our nationality, for the protection of America, for the liberation and freedom of oppressed peoples, no matter where found, then surely we can not support this covenant in its present form.

Wednesday, April 4, 1917.

[The Senate, as in Committee of the Whole, had under consideration the joint resolution (S. J. Res. 1) declaring that a state of war exists between the Imperial German Government and the Government and the people of the United States, and making provision to prosecute the same.]

Mr. GRONNA. Mr. President, I had intended to take some time in calling to the attention of the Senate and the country some of the things which happened during the closing hours of the last Congress, and also, with reference to the European war, some of the facts which I believe have been overlooked or which have not been disclosed so far as I know. But after listening to the speeches of some of my colleagues, and especially to the wise and patriotic words of the distinguished Senator from Missouri [Mr. Stone], I have concluded to occupy only a few minutes, because I agree with what the Senator from Missouri has said—that we ought not at this time to enter into any controversy among ourselves. I shall, therefore, waste neither time nor words; but the question of peace or war is so momentous a question and so serious that I feel that I would not do my full duty should I remain silent. This resolution declaring war is too grave a question to be decided passionately.

Senators, we are intrusted with and are holding the power vested in 100,000,000 of American people. I would, therefore, agree that we proceed to argue this question impassionately, in a friendly spirit; not in a light spirit, nor with minds clouded by passion.

The members of this Congress and the President of the United States are holding in their hands the destiny of 100,000,000 of people. May God give us wisdom and strength to discharge the responsibility with which we have been intrusted, in obedience to Christian principles, rights, and justice.

Senators, I do not presume to point out to any one of you the course you should pursue. Each one of us must take this momentous problem into the judgment chamber of our own hearts and decide it according to our own judgment and the dictation of our own conscience. Those of you who have made up your minds to plunge this country into a bloody war have no right to criticize any one who sincerely and patriotically believes in peace. Those of you who believe that the only way in which we can protect our national honor is to declare war, and in that way manifest your patriotism, I ask you in all sincerity, Have you reckoned the cost of the dreadful conflict that will ensue?

I shall not now argue whether the majority of the American people desire war. No man knows, without first submitting it to a vote of the American people, what their decision might be. The American people will not have that opportunity. But while I believe that the majority of the American people are for peace, I can not with any certainty assert that it is so. I do

know, however, the sentiment of the people of my own State, and I do assert that a very small minority are in favor of war. We criticize European monarchies for forcing their subjects into war against their will, but we refuse to ascertain by a referendum vote of the American people whether they desire peace or war.

Mr. President, this is a fateful hour, and the Senate is about to decide one of the most momentous problems in the history of our country. Let me remind the Senate that we are not the Government; let me remind you that Congress is not the Government; let me remind you that the President of the United States is not the Government; but the 100,000,000 of people are the sovereign power of this country. Why do we refuse to submit for their decision a question so important to the future welfare of our people? Why do we ignore their petitions, which we have by the hundreds of thousands, asking us to avert war? Why do we ignore the pleadings and the petitions of the millions of mothers of this country, whose hearts are bleeding in sadness and whose minds are disturbed over the possible loss of lives dear to them and the future welfare of their beloved ones?

Mr. President, I have before me the petitions of thousands of patriotic American citizens asking me to oppose a declaration of war with any of the nations of Europe. Shall I regard their pleading prayers as noisy clamor or shall I respect their constitutional right of petition? This question will not be decided until it is decided right. It will not meet with the approval of the American people unless it is based upon the principles of right, justice, and equality.

Mr. President, the European countries are to-day regretting that they precipitated a war. Their people are sick to death and are wishing that they could find a way to end it. Selfishness was the cause of beginning this cruel and bloody war in Europe; false national pride prevents the ending of it.

Mr. President, speaking for the people whom I in part represent, we are as jealous of our national honor as any loyal American can possibly be. We are as devoted to the flag and would as quickly resent any insult as would those who are now clamoring for war. But we believe, sir, that there is a possibility of averting war without the killing of the millions of our youth and the sacrifice of our national honor.

I shall therefore vote against this resolution declaring war against the Imperial Government of Germany. I would under similar circumstances vote against war with any of the nations of Europe. I shall vote against war because I believe it would have been possible to maintain an honorable peace with all the nations of the earth. While I believe it will be a tremendous mistake and an unpardonable blunder and error to plunge our country into war at a time when we ought to be at peace with all the nations of the earth, if war shall be declared—as I fear it will be—there will be but one course for every loyal American citizen to pursue, and that course will be to do our full duty in defense of our flag.

Mr. President, I am opposed to war because war means destruction, misery, and poverty to the toiling millions of our country for generations to come; but if it shall come I shall do my full duty.

Mr. SHIELDS. Mr. President, the amendments proposed to give the United States equal representation in the council and in the assembly of the proposed league of nations with the British Empire and five of its dominions and colonies or political divisions, or to reduce the representation of the British Empire to the equality of the other members of those bodies, are now before the Senate; and I desire to bring to the attention of the Senate some facts which I think are important and should be considered in the disposition of these amendments and to make some observations upon them.

Mr. President, the British Empire, by the express provisions of the proposed league of nations, is one of the five permanent members of the council of the league with one vote in all its decisions, and the Empire, in its sovereign and collective capacity, and five of its overseas dominions or colonies—Canada, Australia, New Zealand, Union of South Africa, and India—integral parts of the Empire, are made members of the assembly with the right to one vote and to be represented by three delegates each in the assembly of the league, thus giving to the Empire 6 votes and 18 delegates in that body.

The United States, France, Italy, and Japan are also made permanent members of the council with one vote each, and members of the assembly with the right, respectively, to three delegates and one vote.

Those Governments, not members of the council, 27 in number, original members of the league of nations and those who may hereafter become members, are allowed three delegates and one vote each, and any of them has the potential possibility of

being elected to become one of the four temporary members of the council subject to removal. They are also eligible to permanent and temporary membership if increased in number.

That this is a correct statement of the original organization of the proposed league of nations can not be controverted, and I do not understand that it is now denied by anyone who understands the terms of the covenant.

There was a controversy as to whether or not Canada, Australia, New Zealand, Union of South Africa, and India could be elected to membership in the council; but this was abandoned, as I understand, when the Senator from Missouri [Mr. REED], in a recent address, read the letter of President Wilson, M. Clemenceau, and Mr. Lloyd-George to the premier of the Dominion of Canada.

That there may be no mistake as to the contents of that letter I will reread it:

The question having been raised as to the meaning of article 4 of the league of nations covenant, we have been requested by Sir Robert Borden to state whether we concur in his view that upon the true construction of the first and second paragraphs of that article representatives of the self-governing dominions of the British Empire may be selected or named as members of the council. We have no hesitation in expressing our entire concurrence in this view. If there were any doubt it would be entirely removed by the fact that the articles are not subject to a narrow or technical construction.

Mr. President, the proposition has been advanced that, notwithstanding the British Empire and five of its subordinate political divisions are given this preponderance of power over any one nation in the assembly and the possibility of further representation in the council, the United States and perhaps other members of the league have no grounds to fear that their rights and interests will be prejudiced in the deliberations and decisions of the council or the assembly, that there is no assurance that the subordinate divisions or governments of the British Empire will always favor the Imperial Government in its contentions, and that we could reasonably expect them, especially Canada, to side with the United States.

There never was, in my opinion, a more groundless suggestion. While the British Empire is geographically and physically widely separated, its dominions lying in both the Eastern and Western Hemispheres, in the Continents of Europe, Asia, Africa, and North and South America, and innumerable islands in the Atlantic, Pacific, Indian, Arctic, and Antarctic Oceans, and the Mediterranean and Caribbean Seas, it is politically the most thoroughly organized, united, and compact Government whose existence history records.

The Imperial Government dominating all these far-flung dominions is styled "The Kingdom of Great Britain and Ireland," and has its seat and capital at London, England. It is composed of England, Scotland, Wales, Ireland, the Isle of Man, and the islands lying adjacent in the British and Irish Channels and the North Sea.

The chief executive of the Empire at this time is George V, whose title as conferred by Parliament is "George V, by the Grace of God, King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Defender of the Faith, Emperor of India." His imperial office is hereditary and his government a limited monarchy.

The supreme legislative power of the Empire is vested in a Parliament, sitting at London, composed of the House of Lords, whose offices are hereditary, and a House of Commons, the members of which are elected by the people of Great Britain and Ireland.

Canada, Australia, Union of South Africa, New Zealand, and India are overseas dominions, and the most important of the Empire in wealth and population. These and the other dependencies of the Empire enjoy a limited local self-government, granted them in the form of charters or patents, as they are styled, by the King and Parliament of Great Britain, and subject to amendment and repeal by the granting power.

The chief executives of Canada and New Zealand, Australia, and Union of South Africa are styled governors general; and that of India, governor general or viceroy. They are appointed by the King and Emperor, with the advice and assistance of his ministers, with tenure of office subject to his will or for brief terms of years. They are the representatives of the King and Emperor, and derive all of their authority from him, and act in his name and for him. They have no other authority than that conferred upon them by the King and the acts of the British Parliament.

These political divisions have parliaments, which may enact laws for their government in regard to local concerns and affairs as authorized and empowered in the acts of the British Parliament providing for them, consisting of an upper and a lower house; the members of the first being in part, at least, appointed by the King through his representative, the governor general, and those of the latter elected by the people of the colony or

dominion. There is also a well-organized judicial system for each of the local governments, with broad jurisdiction and powers. The King has the veto power upon much of the legislation; and appeals, with some limitations, lie from the courts of last resort to the King in council in England.

These local governments are largely self-governing in local affairs, but not so much as the several States of the United States in many particulars.

The colonies and dominions of the Kingdom of Great Britain are subordinate political divisions and dependencies of the Empire.

The Commonwealths and States composing the United States are sovereign and independent governments, save in Federal affairs as fixed by the Constitution.

The chief executives of the dominions and colonies are appointed by the King and Emperor, and are responsible to him, and not to the people.

The governors of the States are elected by their people, and responsible alone to them.

The legislative power is vested in the general assemblies of the States, elected by the people, and the power vested in them, when not involving a Federal matter, is unlimited, save by their local constitutions, which they have the power to amend or abrogate at pleasure.

The Federal Government has no control over these matters. There is no appeal from their courts of last resort, except in questions involving the Constitution and laws of the Federal Government.

The governors general, members of Parliament, and other officials of the colonies and dominions owe and swear allegiance to their King.

The governors and other officials of the several States swear to support the constitutions of their States in State matters and the Constitution of the United States in Federal matters.

I make this comparison that the political corporate entity of the dominions and colonies and their want of that independent sovereignty necessary to constitute an independent nation entitled under the laws of nations to absolute equality with the other nations of the world in national affairs may fully appear, and that the incongruity—yes, the injustice—of giving these colonies and dominions a position and membership in the league of nations equal to the United States may be clear beyond question.

The acts of the Parliament of Great Britain granting the charters and patents of local self-government to the dominions and colonies are too voluminous for me to read them in full.

"The British North America act," applicable to the Dominion of Canada, was enacted in 1867 (30 and 31 Victoria) and amended in 1871 (34 Victoria) and 1875 (39 Victoria).

The act applicable to Australia was enacted in 1900 (63 and 64 Victoria).

The act for New Zealand was enacted in 1852 (15 and 16 Victoria), supplemented by an order in council made September 9, 1907.

The South African act for the Union of South Africa was passed in 1909 (9 Edward VII).

The present form of the government of the Indian Empire was established by various acts of the British Parliament, consolidated in the Government of India act, 1915 (5 and 6 George V).

Those who desire to examine them can do so, and I think they will find my statement substantially correct.

I will, however, read from Parliamentary Government in the British Colonies, by Alpheus Todd, LL. D., C. M. G., author of Parliamentary Government in England, a recognized authority upon British colonial government.

I read concerning the general authority of the Imperial Government over its colonies from pages 29, 39, 40:

The mother country, however, still retains the right to interpose—either by advice, remonstrance, or, if need be, by active measures of control—whenever the powers of self-government are attempted to be exercised by any colony in an unlawful, unconstitutional, or oppressive manner. "The whole question of the relations of the imperial authority to the representative colonies is one of great difficulty and delicacy. It requires consummate prudence and statesmanship to reconcile the metropolitan supremacy with the worthy spirit of colonial independence. As a matter of abstract right, the mother country has never parted with the claim of ultimate, supreme authority for the imperial legislature. If it did so, it would dissolve the imperial tie and convert the colonies into foreign and independent states."

Throughout the British Empire—even in colonies where self-government has been conceded to the fullest extent compatible with the maintenance of imperial supremacy—there is a reservation of the paramount authority of Parliament, and of the right of every British subject, to appeal to that tribunal. But while the ultimate control, alike over colonial and imperial administration, is vested by the constitution in the Imperial Parliament, which is at all times ready to listen to complaints of an undue exercise of power on the part of any minister of the Crown, that supreme authority may be constitutionally invoked only in extreme cases, and enforced only when it is indispensably necessary to maintain the integrity of the Empire.

Moreover, certain prerogatives of the Crown are suitably reserved in every colony to the direct and immediate expression of the royal pleasure thereon. The powers so reserved differ according to the position and circumstances of the particular colony, but they invariably include the abstract right of dealing with all colonial legislation, and of disallowing such acts as may be deemed objectionable or in direct opposition to imperial policy. Sometimes colonial laws which, for defect in form or substance, might otherwise need to be disallowed, are remitted to the colony wherein they were enacted, accompanied by a dispatch from the secretary of state for the colonies, suggesting their modification or repeal. The judicial prerogative of the Crown or the right of determining in the last resort all controversies between subjects in every part of the empire, has been universally reserved as being one of the most stable safeguards, and most beneficial acts of sovereign power.

Concerning the power of the King and Emperor through his representative, the governor general, I read from pages 34, 35, 36, and 37:

In every British colony of adequate extent and importance the personal authority of the Crown is represented and monarchical functions discharged by a governor, who is nominated to his office by the sovereign in council and appointed by letters patent under the great seal; his jurisdiction and powers being defined by the terms of his commission, and by the royal instructions which accompany the same.

A governor so appointed is empowered by his commission "to do and execute all things that shall belong" to his office and be appropriate to the trust confided to him by the royal instructions, then or afterwards to be communicated to him through one of Her Majesty's principal secretaries of state, who is the constitutional mouthpiece of the Crown.

He is authorized to exercise the lawful powers and prerogatives of the Crown in assembling, proroguing, and dissolving the colonial parliament; to give or withhold the royal assent to bills passed by the parliament; or to reserve them for the signification of the royal pleasure, pursuant to his instructions from the Crown. He is empowered to appoint to office all ministers of state and other public officers in the colony, and upon sufficient cause to suspend or remove them from office. He is authorized, under certain restrictions, to administer the prerogative of mercy, by the reprieve or pardon of criminal offenders within his jurisdiction; and to remit fines and penalties due to the Crown. All moneys to be expended for the public service are issued from the treasury under the governor's warrant. And furthermore it is expressly declared that "if anything should happen which may be for the advantage or security of the colony, and is not provided for in the governor's commission and instructions, he may take order for the present therein."

It is true that the governor of a colony is not a viceroy and that unlimited sovereign authority is not delegated to him. He can not exercise all the prerogatives of the Crown, but only such as are expressly or impliedly included within the scope of his commission. The lawful extent of a governor's powers has in repeated instances been ascertained and determined by courts of law. Nevertheless, there is a general devolution to every colonial governor of so much of the authority of the Crown as may be necessary for the purpose of administering the government of the colony over which he is placed by the sovereign, whose office and authority he represents. Pursuant to his commission and the accompanying instructions he becomes within the limits assigned to him the embodiment and expression of the monarchical element in the colonial polity, so far as that element can find a constitutional channel for its exercise under parliamentary government. The office of governor is as much a constituent part of the constitution in every colony as is that of either of the other branches of the local legislature. A constitutional governor is not merely the source and warrant of all executive authority within his jurisdiction; he is also the pledge and safeguard against all abuse of power, by whomsoever it may be proposed or manifested; and to this end he is intrusted with the maintenance of certain rights and the performance of certain duties which are essential to the welfare of the whole community. And while he may not encroach upon the rights and privileges of other portions of the body politic, he is equally bound to preserve inviolate those which appertain to his own office, for they are a trust which he holds in the name and on the behalf of the Crown for the benefit of the people.

Should a governor exceed his rightful powers or commit any act to which exception could be justly taken, an appeal is always open to the sovereign, through the secretary of state, and to the Imperial Parliament, which is the grand inquest of the nation for the redress of all grievances.

And from pages 155 and 156, under the head "Imperial dominion exercisable over self-governing colonies in matters of local legislation":

The right of the Crown, as the supreme executive authority of the Empire, to control all legislation which is enacted in the name of the crown in any part of the Queen's dominions is self-evident and unquestionable.

In the mother country the personal and direct exercise of this prerogative has fallen into disuse. But eminent statesmen, irrespective of party, and who represent the ideas of our own day, have concurred in asserting that "it is a fundamental error to suppose that the power of the Crown to reject laws has consequently ceased to exist." The authority of the Crown, as a constituent part of the legislative body, still remains, although since the establishment of parliamentary government the prerogative has been constitutionally exercised in a different way.

But, in respect to the colonies, the royal veto upon legislation has always been an active and not a dormant power. The reason of this is obvious. A colony is but a part of the Empire, occupying a subordinate position in the realm. No colonial legislative body is competent to pass a law which is at variance with, or repugnant to, any imperial statute which extends, in its operation, to the particular colony. Neither may a colonial legislature exceed the bounds of its assigned jurisdiction or limited powers. Should such an excess of authority be assumed, it becomes the duty of the Crown to veto, or disallow, the illegal or unconstitutional enactment. This duty should be fulfilled by the Crown without reference to the conclusions arrived at, in respect to the legality of a particular enactment, by any legal tribunal. It would be no adequate protection to the public against erroneous and unlawful legislation on the part of a colonial legislature that a decision of a court of law had pronounced the same to be ultra vires. An appeal might be taken against this decision and the question carried to a higher court. Pending its ultimate determination the public interests might suffer. Therefore, whenever it is clear to the advisers of the Crown that there has been an unlawful exercise of power by a legislative body, it be-

comes their duty to recommend that the royal prerogative should be invoked to annul the same.

The Crown, moreover, is the chief executive authority of the Empire, and the instrument for giving effect to the national will, as the same has been embodied in acts of the Imperial Parliament, or sanctioned by Parliament, upon the advice of responsible ministers. It is the proper function of the Crown, therefore, to uphold and enforce the national policy throughout the realm, save only in so far as rights of local self-government may have been conceded to any portion thereof.

This is said of the supreme judicial power retained and exercised over the colonies, page 301:

Legislation by the Imperial Parliament, as has been already pointed out, is not subject to be reviewed and annulled by any court of law within the realm. Parliament itself, in its collective capacity, is the highest court in the Kingdom, and is necessarily the supreme judge of the proper limits of its own jurisdiction and powers; and it is not either constitutional or lawful for an inferior court to question the propriety or the discretion of any act done or passed by the Imperial Parliament.

Within the limits of every colony or Province having representative institutions the local legislature is invested with a similar supreme authority and jurisdiction, subject, of course, to the discretion of the Crown in assenting to or disallowing colonial enactments; and subject, moreover, to the determination of the question, whether the legislature has exceeded its competency and the lawful bounds of its prescribed powers on any given occasion. For the powers of every colonial legislature—in contradistinction to those of the Imperial Parliament—are defined and limited, and are practically prescribed by a constitution which is written.

And on page 305 it is said:

The sovereign, as the fountain of justice, is constitutionally empowered to receive petitions and appeals from all her colonies and possessions abroad upon whatever regulations and conditions may be defined and imposed by the authority of the Crown in council.

Such petitions or appeals are referred to the consideration either of the judicial committee of the privy council or of some other committee of that body, upon whose report the decision of the sovereign is pronounced. The reference may be made either upon an appeal from an inferior colonial court or on a petition or claim of right or on a petition praying for the redress of a grievance that is not within the prescribed jurisdiction of other courts or departments of state, but which the Crown is willing to entertain. It is not the duty of the governor of a colony to transmit to the secretary of state an application of this description from parties in a private suit, but the same should be brought before the lords of the council by a professional agent in the customary way.

The King of Great Britain, under the unwritten constitution and form of government of that Kingdom, has for centuries exercised the absolute power to declare war, make peace, and negotiate and ratify treaties with foreign nations. The power over all foreign relations is vested in him and is one of the exclusive prerogatives of the Crown.

There has been of late years a number of treaties submitted to the Parliament for its approval, but this was a concession upon the part of the King and not a right which the Parliament could demand. The acts of Parliament, which constitute the organic law of the self-governing dominions and colonies, do not undertake to interfere with this prerogative of the Crown or to confer any jurisdiction over foreign relations upon these dependencies.

There seems to be no controversy but what they are bound in all such matters by the Imperial Government, and can only take such part in negotiating treaties applicable to the particular dominion or colony as the King may consent and authorize, and as his representatives.

I desire to read from the same authority from which I have quoted upon this subject, page 41:

Finally, all questions which involve the relations of British dependencies, and consequently of the United Kingdom itself, with foreign States—the formation of treaties and alliances; the naturalization of aliens; the declaration of war or peace, and, by consequence, all regulations affecting the disposition or control of imperial military forces—are invariably, and for obvious reasons, reserved for the direction and control of the parent State.

And, again, on page 388, it is said:

In affairs of peace and war, which are essentially of Imperial concern, the supremacy of the Crown must be everywhere maintained inviolate. The governor in every colony is the representative of the sovereign in the administration of this prerogative; but he himself must be careful that he acts in such matters in obedience to his instructions from Her Majesty's Government. For example, upon the breaking out of hostilities between Russia and Turkey, in 1877, the secretary of state for the colonies addressed a circular dispatch to governors, with rules for the guidance of colonies in the observance of neutrality toward the belligerent powers.

Mr. President, it has been said that the demand for representation in the league of nations by these dominions and colonies came from them and that the British Empire did not really favor it. Whatever the representatives of the empire may have said upon the subject, I can not believe that they looked with disfavor upon the prospect of having five additional votes for their Government.

I can readily see British diplomacy and shrewdness in allowing the colonies to make the demand as in their own interest, and I fear that those who believe the parent country was not behind them are not fully informed of the aggressive foreign policy of the British statesmen and diplomats to obtain every political

and commercial advantage possible in all treaties entered into by them and that their guile is "childlike and bland."

I attach little weight to the argument advanced that those overseas dominions, especially Canada, would probably favor the United States in a controversy with the empire. They are not only bound to the parent country by the strongest political ties and look to it for political favors and commercial advantages, but they rely upon its great navy to protect them in their exposed geographical positions from aggressions of predatory nations. Their political and national interests are with the parent country against all the world, and they have so manifested it upon every occasion which required them to speak or act.

Canada, in the War of 1812, strongly supported Great Britain, and in the Civil War between the States, when Great Britain was secretly favoring the South in order to disrupt the Union, Canada was an asylum and safe refuge to all those in sympathy with the Confederate States. It also furnished troops in the Boer War.

Further, when the great World War, through which we have just passed, broke out and Great Britain became involved a wave of loyal enthusiasm swept over those dominions and they rallied to the support of their King and Emperor, sending money, munitions, supplies, ships, and armies to its defense without a parallel in the annals of history. Indeed, they furnished of their magnificent citizenship the flower and most effective part of the British Army in France.

Canada furnished 418,052 officers and men and the total Canadian casualties were 213,586, including 51,022 dead and 7,988 presumed dead, missing, and prisoners.

Australia, out of a volunteer enlistment of 417,000, accepted and sent to France 330,000, and her casualties were 54,890 dead and 158,099 wounded.

The Union of South Africa furnished for service in France and in expeditions against German African possessions 144,000 officers and men, and its casualties were 6,320 killed and 11,661 wounded.

New Zealand, out of its total population of 1,099,449, sent to France 99,650 officers and men, and its casualties of all kinds exceeded 52,000.

India, from the outbreak of the war to September 30, 1918, furnished, at her own expense, 219,534 British and 953,374 Indians, nearly all of whom saw active service.

The majority of the soldiers furnished by Canada and New Zealand and all of those in the other dominions were volunteers.

Can we say that the sovereign States of our own country responded to the call of the Federal Government more promptly and more loyally under the compelling force of conscription?

These brave colonials fought side by side with the soldiers from Great Britain and Ireland, and their blood flowed freely together, and all that is mortal of thousands of them lie united in death and in glorious history in the same cemeteries and often in the same graves upon the plains of France, and there they receive, as the brave sons of one people, one country, and one Empire the reverence and devotion of a common country.

Mr. FALL. I call the Senator's attention to the manner in which the disposition of the oil lands in Canada has been provided for, not leaving it even to the English Parliament to pass acts, or to the local Canadian Parliament or Government to dispose of them, but by an oil directory named by the King of England, directing how the disposition of such lands should be effected.

Mr. SHIELDS. Mr. President, I understand that is true; and it is only an evidence of the complete control that the parent country yet exercises over all its dominions. There can be no doubt of it; and there is no necessity to cite instances when one reads the various charters granted by the Parliament to the dominions, constituting their organic law.

Mr. President, it takes no argument to convince anyone that the people of Great Britain and her colonies are now united more closely, strongly, and permanently than ever before; that friends of one are the friends of all, and that the foe of any one of them is the common enemy. Can you conceive a case wherein it is possible that one of these dominions would take sides against the parent country or one of their sisters in favor of any other country of the world? The very suggestion of such a possibility is, to my mind, absurd.

Mr. President, there is no sound reason, moral or legal, why the dominions and colonies of the British Empire should be recognized in the league of nations and not the sovereign States of the United States. There are many of our States and Commonwealths greater in wealth and population than all those colonies, and their people are just as brave and patriotic and contributed as much to the winning of the World War. We are

as much entitled to 48 votes in the league of nations for our sovereign States as Great Britain is to 5 votes for its colonies; and if one is allowed, common justice and national equality require that the other should be allowed.

The Empire State of New York, with its immense wealth and 11,000,000 people, is certainly entitled to the same consideration as Australia with 5,000,000; and Tennessee, the great volunteer State, with her 2,300,000 brave, free, and enlightened people, the equal of any in the world, has more right to be recognized among the nations of the world than far-off New Zealand with her population of 1,000,000. I could make similar comparisons for other States of our great country, but it is unnecessary to do so.

Mr. President, we are gravely told that the British dominions and colonies have representation in the assembly of the league of nations only and that that body is without power—a mere “debating society”—and therefore the five additional votes give the British Empire no material advantage over the other members of the league. If this were true, it would be the most cruel joke of all history. It would be a disappointment and a delusion to all the nations that have been invited to come in and accept membership in the proposed league of nations. But it is not true. The second paragraph of article 1 provides that—

Any fully self-governing State, dominion, or colony not named in the annex may become a member of the league if its submission is agreed to by two-thirds of the assembly, provided that it shall give effective guarantees of its sincere intention to observe its international obligations and shall accept such regulations as may be prescribed by the league in regard to its military and naval forces and armaments.

This vests in the assembly the power and control over the admission of new members, including that to prescribe conditions under which they may be admitted.

There are half of the white people of the world, including the great nations of Russia, Germany, and Austria, on the outside. Is the power to exclude some 300,000,000 civilized people from the society of nations and thus deny them a voice in controlling the affairs of the world in their own interest and the advancement of civilization immaterial? I will not argue such an obviously unsound proposition.

In article 4 the power to elect the four temporary members of the council from time to time, in its discretion, is conferred upon the assembly.

In the same article the approval of the majority of the assembly is required to authorize the council to increase the number of its permanent and temporary members. Is not the membership in number and personnel of the great governing body of the league of some importance? Give me the power to name the members of a political council or convention and to increase the membership at my pleasure and I will not fear any adverse action from its deliberations and decisions.

Will anyone be so guileless as to believe that the great and experienced diplomats of the British Empire will fail to take advantage of their greater representation in the assembly to see that the new members of the council are not unfriendly to its interests, or that the council will or will not be increased by the election of permanent or temporary members who are friendly or unfriendly to it? And it must be remembered that any or all of these dominions or colonies are eligible to membership in the council.

In article 6, while the council is authorized to appoint the secretary general, the assembly by a majority vote may veto its appointment. Surely the control over the chief executive officer of the league is of some importance.

All matters of procedure, including the appointment of committees to investigate particular matters by the assembly, shall be decided by a majority of its members represented at the meeting. The power to control organization and appoint committees is obviously important and often controls the action of the body and reports of committees. The member that controls six votes certainly has greater influence in such matters than the member who has only one vote.

The broad jurisdiction of the assembly is declared in article 3 in these words:

The assembly may deal at its meetings with any matter within the sphere of action of the league or affecting the peace of the world.

The like jurisdiction, conferred upon the council, is set forth in article 4 in the same identical words save “council” is substituted for “assembly.” What else can this mean but to consider, decide, and dispose of all matters within the purpose and jurisdiction of the league of nations?

How it is to be done is not here definitely declared, but surely the great men who drafted this instrument, after deliberating for six months, did not intend that these most important clauses conferring jurisdiction upon both the assembly and the council should be inoperative, null, and void, mere sounding brass and tinkling cymbal.

Was it purposely left in this way in order that these great governing bodies might in the future, as emergencies confronted them and exigencies of nations required, put their own construction upon their powers and jurisdiction? They certainly have that power, because the clause must be construed and interpreted by some one, and the authority to do so is not to be found in any other article or clause of the covenant.

Diplomatic language is generally left open for liberal construction, and in this connection Talleyrand, the great French diplomat, said “words were invented to conceal ideas.” President Wilson, Mr. Clemenceau, and Mr. Lloyd-George, in their letter to the Canadian premier, said:

That these articles are not subject to a narrow and technical construction.

A familiar canon of constitutional and statutory construction is that such instruments must be so construed as to make them valid and effectual for the purpose for which they were intended, and not one to nullify and destroy them. These clauses were certainly intended to give the league power.

There is here the vestiture of great power to be used by the assembly in its broad and unlimited discretion.

Article 11 declares:

It is also declared to be the fundamental right to each member of the league to bring to the attention of the assembly or of the council any circumstance whatever affecting international relations which threatens to disturb either the peace or the good understanding between nations upon which peace depends.

This is authority for a member of the assembly to, in substance, hale any member of the league before that body or before the council, to answer any charge which such member may believe affects international relations or threatens the peace or the good understanding between nations.

Surely this power to harass nations and to consume the time of the assembly or the council means something and is of some importance. It must have been intended that the assembly and the council in such cases shall take some action.

The jurisdiction in this case, it will be seen, is not confined to members of the league, but, at the instance of any of its members, these governing bodies may intermeddle and concern themselves with the affairs of any nation in the world.

Was there ever such a scheme for stirring up discord and bringing on wars conceived by the mind of man; and yet it is said to be a provision for keeping the peace.

Article 14 authorizes the council to formulate plans for the establishment of a court of international justice, and when created this court is authorized to give an advisory opinion upon any dispute or question referred to it by the council or the assembly. Here again is a provision for the assembly to engage in disturbing the peace.

Article 15 provides that if there should arise between the members of the league any dispute likely to lead to a rupture, which is not submitted to arbitration, it shall be submitted to the council, and that the council may in any case, under this article, refer the dispute to the assembly or it shall be referred at the request of either party, and that the assembly acting under the rules prescribed for the council shall take jurisdiction; and if its action is concurred in by the representatives of the members of the league in the council and a majority of the other members of the assembly, exclusive in each case of the representatives of the parties to the dispute, it shall have the same force as the action of the council.

This most important jurisdiction is conferred upon the assembly at the instance of the council, or of the parties to all disputes likely to lead to a rupture between members of the league, and a majority, with the concurrence of the members of the council, not including parties to the dispute, will control. The decision may affect the whole world and may lead to war.

Will not the fact that five of the self-governing dominions and colonies of Great Britain have votes in the assembly and will be counted in making a majority be of importance to the British Empire in a dispute between it and the United States or any other member of the league? Is it denied that there is force in numbers and votes in political assemblies?

Surely no elaborate argument is necessary to show that membership in the assembly of these dominions and colonies is of material advantage to the parent Government.

The assembly, by section 19, is authorized from time to time to advise the reconsideration by members of the league of treaties which have become inapplicable and the consideration of international affairs whose conditions might endanger the peace of the world.

Diplomatic language used between nations is courteous and generally there lurks under the veil of courtesy of such words as “advise” and “recommend,” order and command. These words appearing in this treaty must be given such force. It is to be remembered that all these articles are intended to mean

something and be operative and "are not subject to narrow or technical construction."

Article 26 provides for amendments of the covenant and that they must be ratified by not only the members of the league whose representatives compose the council but by a majority of the members of the assembly. Here again there is power in the number of votes any one nation can control.

The treaty with Germany contains numerous provisions conferring power and authority on the league of nations, without saying by what body it is to be exercised. The presumption is that the popular body, the body in which all the members of the league have a right to a voice and a vote, is there meant; and here again the number of votes a Government can control is of a great advantage.

The great powers vested in the council are not to be overlooked and disregarded in considering the power of the members of the assembly. That body will practically control the commerce, the armies and navies, and the peace of the world. There never was such vast power for good or evil vested in any nine men before in all history.

It is a political body, and the members are the political representatives of the Governments appointing them and controlling their tenure of office. Can we believe that its deliberations and decisions will be free from barter, bargaining, intrigue, swapping votes, and every other trick and device known to "practical politics," in the light of the methods practiced by European nations in political affairs, as evidenced by the secret treaties between England, Japan, Italy, and France for the disposition of territories and peoples in Europe, Asia, and Africa, and the consummation of them at Paris over the protest, in some instances, of the representatives of the United States?

The members of the assembly, we have seen, elect the four temporary members of this great and powerful council and have the power concurrently with the council to increase the membership of the latter. And yet, in the light of all these things, it is said that the great British Empire has no advantage in having five of its dependencies in the assembly, eligible to membership in the council, to vote for it in these bodies in all these matters. The provision for unanimity of action does not afford the United States any protection, for whenever a member is a party to a dispute such member can not vote.

Mr. President, aside from material advantages or possible prejudice, can the United States consent that in a society of nations an empire, however powerful and however broad its dominions may be, shall take precedence over it and have a greater representation than it?

Can we maintain our national honor and our pride in the sovereignty and independence of our great Government and its glorious history and agree that international law, guaranteeing to all sovereign nations absolute equality, be violated and our country reduced to the equality of colonial dependencies?

I shall never assent by my voice to such a proposition. The American people will never approve a thing so unpatriotic and so degrading and humiliating.

I have great admiration for the English people, but I can not admit that they are superior to Americans and shall have precedence over them even in a matter of form or ceremony.

Mr. President, the very proposition is revolting to the American people, every one of whom is a sovereign in his own right and yields superiority and allegiance to no man. Would you have them admit that they are not equal to the subjects of a king or emperor?

President Cleveland in his message upon the Venezuelan matter well said:

There is no calamity which a great nation can invite which equals that which follows a supine submission to wrong and injustice and the consequent loss of national self-respect and honor beneath which are shielded and defended a people's safety and greatness.

Mr. President, there may be some Senators who will hesitate to vote for the amendment offered by the Senator from California [Mr. JOHNSON] to cure this great injustice and indignity to the people of the United States upon the theory that it is an amendment and will cause delay in the final ratification of the treaty and conclusion of peace.

It has been suggested that the same end can be reached by a reservation applicable to disputes which the United States might have with the British Empire or any of its dominions, and I think there is merit in the suggestion. It would be fairer to provide that the British Empire collectively should have but one vote.

These contentions, however, have troubled me but little.

When I became convinced that the treaty allowing this great advantage to the British Empire was a discrimination against the United States and an affront to the honor and dignity of the American people, I resolved to support whatever measure

was necessary to remedy the wrong and injustice proposed. I prefer that it be done so as to create as little delay and friction as possible, but it must be done.

The maintenance of national integrity and national honor is infinitely more important to the American people than the inconvenience resulting from a few weeks' or months' delay, which is all that could possibly happen from either an amendment or a reservation.

It would be better to destroy the league of nations than to degrade the United States before the world and humiliate her people for all time.

If it requires an amendment to make the necessary changes, I will vote for it without the slightest hesitation.

The league of nations is not sacred or hedged around with divinity. It was not thundered down from Mount Sinai amid convulsions of nature, like the laws of Moses.

It is not profane for the United States Senate in the discharge of its constitutional duty to consider, dissect, and, if necessary, amend it in the interest of the American Government and the American people.

It is a British document. The original draft or foundation was prepared by Gen. Smuts, a British subject, and the superstructure was largely the work of Lord Robert Cecil, an hereditary aristocrat and adviser of the King of Great Britain.

It must be Americanized and made to conform to American constitutional liberty and free institutions. If this is not done in some proper and effective way, it should not be ratified.

The chief argument advanced against amendments is that the treaty will have to be submitted to the other signatory powers for their acquiescence and thus cause delay in the final conclusion of peace—an argument not against the soundness of the amendments, but one of expedience, which should have no weight when the independence of our country and liberties and safety of our people are concerned.

There will not be, in my opinion, any appreciable or prejudicial delay caused by amendment.

The treaty amended would first be submitted to the other four principal allied and associated powers—the British Empire, Japan, France, and Italy—and to Germany and to whatever they do the other members of the league will readily assent. They will have no alternative. They were not consulted and had no voice in the construction of the league, and why will it be necessary to consult them about amendments?

CONTROLLING NATIONS WILL CONSENT.

The British Empire will unquestionably consent to the amendments. That Empire gets a lion's share of commercial advantages and territorial annexations under the treaty and has the integrity of its territories lying in every quarter of the globe and peculiarly open to foreign aggression guaranteed by the wealth and power of the United States.

The Earl of Curzon, when the treaty was presented to the House of Lords, July 3 last, said:

"But it is permissible, perhaps, to point out in a sentence that Great Britain has gained in this war all, and, indeed, much more than all, she set out to win. Our navy remains at the end of the war intact and unassailed. The principle of freedom of the seas, which is the basis of our national existence, stands unimpaired and unimpugned. The British protectorate of Egypt is provided for in one of the clauses of this treaty. We are demobilizing our forces, but we can not lay down our arms; we can not disband them altogether. We must still be able to fight for what we have won, and be sure that it is not taken from us after we have won it."

Col. Hilder, in the House of Commons, in discussing the treaty, July 21 last, said:

"The outstanding feature of the peace treaty is that it puts the British Empire at the highest point that it has ever reached as regards territory and world influence. Largely by force of circumstances and the leading part which our navy and army took in either breaking down or destroying the enemy, we have been left with far greater territory and power than at any other period of our race's history."

And Mr. Bottomley, in the same debate, said:

"May I compliment the prime minister on the great acumen he showed when he secured Britain as the mandatory of the ex-German colonies, because I believe that before we get on very far with the ex-German colonies the league of nations will come to an untimely end, as every experiment of that kind has done. The same thing was tried in ancient Greece and failed, and what happened then will happen now. No power will enforce their verdict. The noble lord, the member for Hitchin (Lord R. Cecil), says that public opinion will solve it. He said that it is possible that when we have spent a lot of money and had a few little wars we shall come out with the German ex-colonies to our credit. At present we owe America £1,000,000,000. Let her take over some of the obligations of Russia to ourselves. Let us see some sincerity in these high principles enunciated so freely on the other side of the water."

These British statesmen show how highly they value the stipulation in the treaty in favor of the Empire, and is it reasonable to assume—it is hardly conceivable—that they would fail to agree to our reasonable and just amendments in order to preserve and retain those advantages? Indeed, that they would do so seems certain.

Mr. A. G. Gardiner, editor of the London Daily News, referring to the pending amendment, and evidently voicing the apprehension of the British people that the United States might reject the treaty, made certain statements which I ask may be printed as a part of my remarks without reading.

The VICE PRESIDENT. Without objection, it is so ordered. The matter referred to is as follows:

"If asked to accept such an amendment, I am sure the British people willingly would do so," Gardiner said.

"The spirit of the covenant certainly contemplates the British Empire as a unit. But it fails to specify this, probably because the omission never came to the attention of the peace conferees. Now that the issue had been raised, however, it will not be difficult to make the wording conform to the spirit and to eliminate America's cause for fear. Perhaps the wording could be changed without resubmitting the covenant to the nations concerned if Great Britain, as the interested party, would request the change.

"Although the intention of the conferees obviously was not to give the British Empire more votes than the United States, the text of the covenant justifies Senator REED's assertion. He believes that in case of a dispute between the United States and one section of the empire the other sections would be sitting in judgment on the matter. Personally, I think it is debatable how much the scales would be loaded; it is conceivable that Canada's or South Africa's interests might be opposed to those of the empire or even allied with America's. But I readily understand the American concern in the matter and recognize it as a real objection which should be met. Perhaps the best way would be to insert a ruling in the covenant specifically covering this exigency.

"I am convinced the English sentiment would support such a move, for we do not want an unfair advantage.

"Just now, of course, President Wilson's answer to this criticism may well be that the veto power protects the United States. Undoubtedly this clause has the most practical bearing on the question of power. There exists in the covenant an absolute safeguard, a guarantee that nothing injurious can be done to any power. I don't like the idea of settling affairs on that basis, however; there is a better way out of the dilemma, and I think that eventually the unanimity and veto clause will be modified, anyway."

Mr. SHIELDS. Another Englishman some time since published an article in the Round Table Series, volume 1, which is very informing in this connection; and I ask that an extract from his article be printed as a part of my remarks without reading.

The VICE PRESIDENT. Without objection, it is so ordered. The matter referred to is as follows:

This is not the place in which to inquire whether the strength derived from the unconscious processes of organic growth is ideally preferable to the conscious forcefulness of organization and discipline. It is sufficient for the moment to notice that in virtue of its very nature our static empire is vitally interested in the maintenance of the status quo of the world. It is not a fighting machine.

It is inconceivable that its powers should ever be used for any aggression except such as is necessary for self-defense. But it is idle to hope that it can continue on its chosen road of peaceful progress and development without making collision with the interests or the pride of other political organizations. So vast a Colossus can not bask in the seas without creating a sense of oppression in those whom it overshadows. Its mere presence on the world's stage, often in apparent inertness, inevitably helps to shape the course and to decide the issue of every diplomatic dispute. There is not a progressive power whose ambition it does not seem to stifle, whose development it does not seem to check. In every quarter of the globe its mere subsistence is a standing challenge to rivalry in the arts of peace or of war. There is hardly a spot on the earth of which it can be said, "Here the British Empire has no interest to further or to protect."

Mr. SHIELDS. Mr. President, France will certainly consent to the amendments. It needs the protection of the United States under the special treaty for that purpose negotiated by the President and now before the Senate for approval.

In the International Trade Conference now in session at Atlantic City the French financial experts estimated that their commodity purchases during 1920 would total between \$600,000,000 and \$700,000,000.

Julian Potin, of the French mission, stated that France must purchase \$145,540,000 worth of foodstuffs from January 1 to October 1, 1920, including 1,000,000 tons of wheat, 2,000,000 tons of oats, 100,000 tons of sugar, 600,000 cases of condensed milk, and 25,000 tons of salted meats.

Italy must have money, coal, food, and other essentials of life from the United States, and will do almost anything to keep on terms of peace and amity.

The Italian mission at the International Trade Conference recommended to the American commission on credit and finance that a long-term credit, at reasonable rates, of \$500,000,000 to \$600,000,000 be granted to permit purchase in the United States in 1920 of \$300,000,000 worth of food and \$200,000,000 to \$300,000,000 worth of raw materials and machinery.

Japan, gorged with Shantung, with its population of 30,000,000, will undoubtedly accept the amendment when it acts upon the treaty.

Germany is not a party to the league, but there is in my mind no doubt about her acceptance.

The treaty, practically ratified by the British Empire, France, and Italy, will be effective against Germany without our approval, and all the drastic provisions against Germany will be

enforced by those nations. That country lies prone in the dust, without an army and without a navy, needing food and raw material, which it can only get from the United States.

Our Navy could at any time, by blockade, compel acceptance on the part of Germany if force were required.

Again, Germany is not very materially interested in the proposed amendments and reservations, and will hardly withhold her assent, considering her necessitous condition.

There is but little trouble with the treaty proper, in so far as the conclusion of peace is concerned, the main objections being found in the proposed league of nations, a distinct, separate, and foreign matter never before attempted to be fastened upon a treaty to conclude peace and restore normal conditions.

I have always favored peace at home and abroad, and I will support any measure reasonably calculated to prevent war in any country in the world, provided it does not involve the surrender of the sovereignty of our country or the safety of our people.

I regret that peace has not long since been concluded and our people allowed to return to their usual vocations and the pursuit of happiness. It would have been well if the effort to create a world government, to abolish war—an iridescent dream of centuries—had been deferred until the great civic convulsions created by the World War had quieted, until nations had once more reasserted conservatism, established organized governments, and arrived at a condition calmly to consider a proposition of such tremendous importance and far-reaching consequences. It would have been well if the attempt to organize a league had been postponed until all the great civilized nations of the world and all civilized peoples could have been consulted and given a voice in its construction and included in a lasting society of nations formed by them.

It requires great faith to believe that peace will be promoted by a supergovernment or league planned by the representatives of the British Empire, the most powerful Empire in the world, the Empire of Japan, the Prussia of the Orient, the King of Italy, and the Republics of France and the United States, five only of the nations of the world, under a constitution which enables them arbitrarily to control it for all time, and which all other nations are arbitrarily commanded to accept. It seems to me that it will be productive of wars.

President Wilson, among other things, in his address on March 3, 1917, said:

The essential of peace is the actual equality of nations in all matters of right or principle.

And in his war message of April 2, 1917, he declared:

A steadfast concert for peace can never be maintained except by a partnership of democratic nations. It must be a league of honor, a partnership of opinion. Intrigue would eat its vitals away; the plottings of inner circles, who could plan what they would and render account to no one, would be a corruption seated at its very heart.

How does the league covenant square with these sound and just pronouncements?

The nations that conceived and formulated the proposed league and are the permanent dominating members consist of two Empires, a Kingdom, and two Republics, and of the nine members of the council six are monarchies.

The work was done behind closed doors, all other nations of the world being excluded. The representation and power of members was not made equal. There was no previous agreement, no consultation. There was plotting in the inner circle. Only a portion of the nations of the world were admitted to membership, and these were ordered to accept it as presented to them. They were given no choice. Three hundred millions of white people were excluded in the organization and only given a remote chance of membership in the future, a two-thirds vote of the assembly being required to admit them.

This is what is called a partnership of democratic nations.

It is, in fact, an autocratic oligarchy dominated by empires and kingdoms, responsible to no one, and imposed upon the world without consultation or consent and proposing to rule those in and out of the league alike.

It is bound by no code of procedure or laws; it establishes a government of men. There is no semblance of democracy or of the principle of government by the consent of the governed to be found within its four corners.

If this is the promised safe place for democracy, God save the Republic.

Mr. HALE. Mr. President, the Johnson amendment has been heralded throughout the country as a test of Americanism. As such a test, it should hold water. That it does not hold water I think I can show. Perhaps it is fair to state here, even if it did hold water, I should not vote for it. I have already given my reasons for voting for reservations instead of amendments to the treaty.

Under the covenant of the league of nations action may be taken either by the council or by the assembly, or in certain cases by both together.

Article 5 provides:

Except where otherwise expressly provided in this covenant or by the terms of the present treaty, decisions at any meeting of the assembly or of the council shall require the agreement of all the members of the league represented at the meeting.

In all cases where the council acts, therefore, such action requires a unanimous vote of the council except under paragraph 6 of article 15, where it is provided that—

If a report by the council is unanimously agreed to by the members thereof other than the representatives of one or more of the parties to the dispute, the members of the league agree that they will not go to war with any party to the dispute which complies with the recommendations of the report.

Action by the assembly may be taken only in the following cases:

Article 1, paragraph 2: Where new members of the league are admitted on a two-thirds vote of the assembly.

Article 3, paragraph 3: Where the assembly may deal at its meetings with any matters within the sphere of action of the league or affecting the peace of the world; a unanimous vote is here required.

Article 4, paragraph 1: Referring to the selection of four permanent members of the council not included in the original five; a unanimous vote is here required.

Article 4, paragraph 2: Referring to the naming of additional members of the league whose representatives shall always be members of the council and to an increase in the size of the council, and here the assembly acts by a majority vote in conjunction with the council, where the vote, of course, must be unanimous.

Article 5, paragraph 2: Referring to the question of procedure at meetings of the assembly; in this case a majority vote decides.

Article 11, paragraph 2: Referring to the friendly right of each member of the league to bring to the attention of the assembly any circumstance whatever affecting international relations which threatens to disturb international peace or the good understanding between nations upon which peace depends. I do not think that any action can be taken under the provisions of this article, which, as Senators have said, provides merely a general world debating society. In any event, no action could be taken except by unanimous vote.

Article 15, paragraph 10: Where a dispute has been referred from the council to the assembly. In this case the assembly acts on a majority vote of its members, exclusive of those who are on the council, and must in conjunction have the unanimous vote of those of its members who are on the council, with the exception of the parties to the dispute.

Article 19: Where the assembly may from time to time advise the reconsideration by members of the league of treaties which have become inapplicable, and the consideration of international conditions whose continuance might endanger the peace of the world. Here the action must be unanimous.

In only six cases does the assembly act without the council. In four of these six cases the assembly must act unanimously. In only two cases—article 1, referring to the election of new members of the league, and article 5, referring to the procedure at its own meetings—does the assembly act alone and by less than a unanimous vote.

In only one case—article 15, paragraphs 6 and 10—are the parties to a dispute prevented from voting in the assembly or in the council.

Wherever in the council or in the assembly a unanimous vote is required, or wherever under the provisions of the league joint action is required necessitating a unanimous vote by either the council or the assembly, the interests of the United States are manifestly taken care of, since we must ourselves be a party to any action taken, and on a unanimous vote one vote is as valuable as six.

This narrows the question down to article 1, paragraph 2, where the assembly elects new members by a two-thirds vote; article 5, paragraph 2, where the assembly regulates the procedure at its own meetings; article 15, paragraph 6, where the council acts unanimously on a dispute referred to it, exclusive of one or more of the parties to the dispute; and paragraph 10 of the same article, where a dispute has been referred to the assembly and action can only be taken where the report made by the assembly is concurred in by the representatives of the members of the league represented on the council and a majority of the other members of the league, exclusive, in each case, of the representatives of the parties to the dispute.

The question is, Does the Johnson amendment protect the United States in these particular cases?

In all other cases the vote of the United States could definitely defeat any action to be taken, either by the council or by the assembly, or both jointly, and bring to naught the numerical advantage lying with Great Britain through her colonies having membership in the league.

The Johnson amendment reads as follows:

(1) *Provided*, That when any member of the league has or possesses self-governing dominions or colonies or parts of empire which are also members of the league, the United States shall have votes in the assembly or council of the league numerically equal to the aggregate vote of such member of the league and its self-governing dominions and colonies and parts of empire in the council or assembly of the league.

With it, although by no means a part of it, should also be associated the so-called Moses amendment to paragraph 9 of article 15:

(2) Whenever the case referred to the assembly involves a dispute between one member of the league and another member whose self-governing dominions or colonies or parts of empire are also represented in the assembly, neither the disputant members nor any of their said dominions, colonies, or parts of empire shall have a vote upon any phase of the question.

I shall hereafter refer to the two amendments together as the Johnson amendment. The amendment would undoubtedly apply, to article 1, paragraph 2, which provides for the election of new members by a two-thirds vote of the assembly, and in such election we should have the same number of votes in the assembly as Great Britain and her colonies combined. It would also apply to article 5, paragraph 2, which regulates the procedure at meetings of the assembly.

Mr. McCORMICK. Mr. President, I do not want to interrupt the Senator's argument. If he prefers, I will wait until he gets through.

Mr. HALE. I wish the Senator would wait until I conclude what I have to say.

Mr. McCORMICK. Certainly.

Mr. HALE. Article 15, paragraph 6, provides that if a report by the council is unanimously agreed to by the members thereof other than the representatives of one or more of the parties to the dispute, the members of the league agree that they will not go to war with any party to the dispute which complies with the recommendation of the report.

I do not claim, as some of my colleagues have claimed, that the colonies would not have a right to representation upon the council should they be elected so to serve. I believe that as members of the league they have the same privileges and rights as all the other members of the league. They can not, however, be so elected under the first provision of article 4 of the covenant without the unanimous consent of the assembly, which will include ourselves, or, under the second provision, without the unanimous consent of the council, which will also include ourselves. It is inconceivable to me that the United States should ever consent to allow a sovereign State and one or more of its dependencies to serve at the same time on the council. In any event, should it do so, under paragraph 9 of article 15, the dispute may be referred, at the request of either party to the dispute, to the assembly. There are three sorts of disputes under article 15 where the interests of the United States might be affected: First, a dispute between the United States and Great Britain; second, a dispute between the United States and some country other than Great Britain; third, a dispute between two countries other than Great Britain or the United States. I am assuming that we can have no dispute with one of the colonies of Great Britain that would not be a dispute with Great Britain.

In the first case, under paragraphs 6 and 10 of article 15, neither the United States nor Great Britain could take part in the proceedings of the council or assembly because both are parties to the dispute. The British colonies could conceivably take part as outside members not parties to the dispute. The amendment would cure this difficulty.

In the second case, where, for instance, the United States had a dispute with Spain, the United States in any event would be debarred as being a party to the dispute, and no matter how many votes it had in the council or assembly it could not use such votes. The Johnson amendment would not apply. Great Britain, as well as her colonies, could take part.

In the third case a dispute between two members, where the United States and Great Britain were not included, the amendment would give us the same vote in the council as Great Britain, but would not apply to a dispute referred to the assembly, because while the United States could take part as a member of the council, and Great Britain could take part as a member of the council, the additional votes that the United States would

have could not be used because of the provisions of paragraph 10, providing for the concurrence by the representatives of those members of the assembly represented on the council and of a majority of the other members of the assembly, exclusive in each case of the representatives of countries that are parties to the dispute.

The British colonies could take part as a part of the majority of the other members of the assembly, but the votes of the United States could not be so used, since our only status would be that of a member represented on the council. The Johnson amendment, therefore, would only apply to the election of new members, to the regulation of the procedure of the assembly at its own meetings, and to the participation by the colonies in votes of the council or assembly where the United States and Great Britain were both parties to a dispute.

The following reservation has been drawn by the Senator from Wisconsin [Mr. LENOIR] and is now in the hands of the Committee on Foreign Relations:

The United States assumes no obligation to be bound by any election, decision, report, or finding of the council or assembly in which any member of the league and its self-governing dominions, colonies, or parts of empire in the aggregate have more than one vote, or in case of any dispute between the United States and any member of the league in which such member or any self-governing dominion, colony, empire, or part of empire, united with it politically, shall have voted.

The reservation applies to every act in the covenant where Great Britain and its colonies in the aggregate have cast more than one vote. It takes care of paragraph 2 of article 1 and makes void, as far as the United States is concerned, any election of new members where Great Britain and her colonies have in the aggregate cast more than one vote.

In the same way it takes care of the procedure at the meetings of the assembly. It takes care of paragraph 6 of article 15 and of paragraph 10 of article 15, and not only of the case where we have a dispute with Great Britain, but of the two other cases above referred to under this article where we have a dispute with a country other than Great Britain or where a dispute arises in which neither we nor Great Britain are concerned. It renders void, as far as we are concerned, any action taken under the provisions of these paragraphs where Great Britain and her colonies have in the aggregate cast more than one vote. It meets, as the Johnson amendment does not, the objections raised on account of the preponderating British vote, and as a test of Americanism it meets the situation, as I claim the Johnson amendment does not.

Let me say to the Senator from California that I am just as much against the provision in the treaty allowing Great Britain and her dependencies six votes to our one as he is, but I believe in meeting the difficulty with a reservation that will cure it rather than with an amendment that will not.

The Senator has stated that three years ago no Senator in this Chamber would have for a moment considered voting against his amendment. Let me say to the Senator, Mr. President, that my reason, and I believe the reason of most of the Senators in this Chamber who believe as I do in voting against his amendment, aside from the fact that we prefer reservations to amendments, is that his amendment is not a good amendment and does not answer the purposes for which it was drawn. I am very certain that the same fault which we now find with his amendment would have been found by the Senate of three years ago and that his amendment would then have met the same fate which I firmly believe it will meet when we vote upon it to-day or to-morrow.

The motives of the Senators who will vote against the amendment of the Senator from California are every bit as high as the motives of the Senator from California and every bit as pro-American. The only difference is that we believe in a provision that will safeguard the interests of the United States while he believes in his own amendment, which, as has been clearly demonstrated by other Senators in this Chamber, will not have that effect.

Mr. JOHNSON of California. Mr. President, just one word in response to the Senator from Maine.

The Senator from Maine is at some pains to demonstrate that the amendment proposed by me, that is now the subject of discussion, does not meet the situation. He is at pains to indulge in that demonstration in order that, as he says, the situation may be met by a reservation.

Let us assume for the purposes of the argument, Mr. President, that the entire situation is not met by the amendment presented by me. At least, according to what he says, the amendment meets a part of the situation, while, in my opinion, the reservation to which he adverts does not meet the situation at all. Since this amendment meets a part of the situation, if the Senator from Maine has the very great desire which he

expresses to accomplish the same purpose as I, at least he might agree to go part of the way with the amendment; and then, if he desires, he can go any other part of the way with the reservation to which he adverts.

My view of the situation is such that I am for the amendment. If the reservation will add to it, I am for the reservation, too; but they are two distinct and different propositions entirely. One seeks, the amendment, as its very language imports, to give to the United States the same voting power that Great Britain has.

The Senator from Maine [Mr. HALE] says he wishes to do that very thing. A reservation does not purport in any degree to give the same voting power on any question to the United States that Great Britain has, and if the Senator from Maine has exactly the same purpose that I have, as I understand his language to imply, then the Senator from Maine will give to the United States in those instances where it can be given, even though it may not give it in all instances, as he asserts, the same voting power to the United States that Great Britain is given in this very instrument.

If he believes, as I do, that it is unjust and unfair to America that Britain should be given six votes to the United States one, if he has exactly the same purpose in view that I have in regard to our actions concerning either amendment or reservation, he will go with me in giving where he can by amendment. If this is not wholly appropriate, I will see that the Senator from Maine and the other Senators are furnished with an amendment which will be appropriate before we conclude, and I hope he will go with me just as far as we can by amendment in seeing that the United States has six votes, as well as Great Britain, in this league of nations.

That is the point. The point is not that you may give an option by a reservation to the United States subsequently to disavow some action which may be taken by the league. That is not the idea of the amendment, nor the thought that was in my mind in its original presentation. The idea was to say that my country shall have just exactly what this league covenant gives to Great Britain. If I have not wholly accomplished the purpose, I promise the gentlemen who find fault with the amendment that they will have an opportunity with an amendment which goes the full distance to vote before we conclude this debate and before we conclude action upon this instrument.

The difficulty is that the gentlemen—whose motives, of course, I do not question at all—are endeavoring by a reservation to accomplish a purpose perfectly legitimate in itself, which is their purpose; but it is a purpose which is not my purpose, nor the purpose of this amendment. The purpose of this amendment and its cognate amendment, offered by the Senator from New Hampshire [Mr. MOSES], is to give, as far as we may, equal voting power—ultimately, I hope, equal representation—to the United States of America with Great Britain in this league. That is the idea.

The Senator says frankly that he would not vote for the amendment even if it went the whole way; that he would not stand for this amendment even if it did all that he says it does not do. Then what is the use of arguing the proposition, Mr. President? If no amendment could be drawn which would give America equal representation and equal voting power with Great Britain in this league, why spend our time arguing whether this amendment goes the full distance, or three-fourths or four-fifths or half or a quarter of the distance we are trying to cover by its presentation to this body? Why spend our time arguing that it is not sufficient except in some particulars when, if it were sufficient in all particulars, the Senator from Maine frankly says he would not vote for it anyway?

The difficulty with the amendment, Mr. President, is not that it does not go all the way; the difficulty with the amendment is not that it has not sufficient vitality; the difficulty with the amendment is that it goes part of the way anyway, and that it has any vitality at all. That is the difficulty; and the difference between the Senator from Maine and myself regarding this situation rises from two diverse views, the one being, on my part, that America shall have exactly the same representation as Great Britain in this league, and the Senator's view being that by a reservation he will give us the option to determine after action shall have been taken by the league.

There is the difference in viewpoint. He is against the proposition, by his own statement to-day, that we should have equal representation, by amendment at least, with Great Britain in the league, though he would give us the power to annul action subsequently taken. There is the test. Call it what you will. You may call it of one sort or you may call it of another. It is my test of Americanism. I question no other man's Americanism. That is not the point. I am questioning the Ameri-

canism of neither the Senator from Maine nor of any other man. To me the test of Americanism is that my country shall be as great, and as powerful, and as big, and have the same representation exactly in any league that Great Britain has.

Mr. McCUMBER and Mr. HALE addressed the Chair.

The PRESIDING OFFICER (Mr. KNOX in the chair). The Senator from North Dakota.

Mr. McCUMBER. Mr. President, I yield to the Senator from Maine in view of the course the debate has taken.

Mr. HALE. Mr. President, I am glad to hear that the Senator from California states that his test of Americanism is his amendment to the treaty. I can not, however, accept it as my test of Americanism.

The Senator has said that I am trying to reach the same result that he is, and to give this country the same number of votes in the assembly and council that Great Britain has. I have never tried to reach that result. I do not claim that the reservation reaches that result. I have believed from the first that this treaty could be taken care of, and American interests and rights safeguarded, by reservations instead of by amendments, and I have consistently held to that course.

As far as the pending matter is concerned, I am very certain, in my own mind, that the case is amply taken care of by the reservation of the Senator from Wisconsin, and far better than it is by the amendment of the Senator from California. If the Senator has any question about my patriotism, or the patriotism of anyone else who believes as I do and who will vote as I do, he is welcome to it.

Mr. JOHNSON of California. No, Mr. President, let there be no misunderstanding about this. I said that my test of Americanism, for myself, was that my country should have equal representation in any league, in any body, in any confederation, or in any partnership with any other nation on the face of the earth. I asperse no other man's patriotism or Americanism at all. I have my own test for myself. I have made that test.

Mr. HALE. The Senator is welcome to it.

Mr. JOHNSON of California. And I am welcome to it, of course, just as the Senator from Maine is welcome to his test, with which I am not quarreling at all. My test is the right of representation and membership and equal power in this or any other league for my country, with any country, I do not care what it is. In this instance it happens to be Great Britain.

Mr. HALE. And I have endeavored, Mr. President, in my humble way, to show that we shall have equal power under the reservation.

Mr. JOHNSON of California. I think it is demonstrated quite to the contrary.

Mr. McCUMBER. Mr. President, it was my intention to proceed and discuss a certain feature of the treaty, especially in relation to the address made by the Senator from Idaho [Mr. BORAH] the other day and some of the remarks he made in that address concerning my own position. I sometimes find it a little difficult to obtain the floor in these close times, and therefore I simply desired to obtain it this evening that I might go on in the morning. I will now yield to the Senator from Indiana [Mr. WATSON], who, I understand, desires to move a recess.

ENTRY OF ALIENS.

The PRESIDING OFFICER, as in legislative session, laid before the Senate the action of the House of Representatives disagreeing to the amendment of the Senate to the bill (H. R. 9782) to regulate further the entry of aliens into the United States, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. LODGE. I move that the Senate insist upon its amendment, agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Presiding Officer appointed Mr. LODGE, Mr. McCUMBER, and Mr. HITCHCOCK conferees on the part of the Senate.

VICE PRESIDENT MARSHALL'S VIEW OF INDUSTRIAL UNREST.

Mr. THOMAS. Will the Senator from Indiana yield to me for a moment?

Mr. WATSON. Certainly.

Mr. THOMAS. I ask unanimous consent to have inserted in the RECORD certain remarks of the Vice President concerning the present labor situation, which were published in this morning's Washington Post.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

LOVE AND COMPASSION, NOT LAWS, WILL SOLVE INDUSTRIAL UNREST, SAYS VICE PRESIDENT MARSHALL—MANUFACTURERS MUST SEE SOMETHING MORE IN BUSINESS THAN DIVIDENDS AND LOOK UPON EMPLOYEES AS BROTHERS IN THE REPUBLIC AND NOT COGS IN A MACHINE TO PRODUCE PEACE, HE WRITES.

[By Thomas R. Marshall, Vice President of the United States.]

"Just so long as capital and labor stand and glare at each other we may expect everlasting turmoil and a nation-wide cataclysm.

"The Congress of the United States is a kind of doctor that treats symptoms and does not treat disease.

"No legislative remedy that I know of can be found to produce peace and quietude and good order—unless the manufacturers see something more in business than dividends and look upon the employees as brothers in the Republic and not as cogs in the machine or as numbers on a pay roll. It is hopeless from their standpoint; and unless the laboring men have some higher incentive to do their work than the mere wage which comes from the doing of it; if they put in their time finding how little they can do and how much more they can get for the doing of it, it is hopeless from their standpoint.

CAN NOT BOOST ONE, BOOT ANOTHER.

"It is no part of government to boost one man and to boot another.

"It is hopeless if the mad passions of men are to hammer at legislative halls for their final and just settlements. A government of discretion dies.

"The only government in business life that can hope to live is a government of love and compassion.

"What the economic life of America needs is not a lawgiver, but an evangelist.

"The country needs a rebaptism of peace patriotism such as it had of war patriotism.

LAMB AND LION TOGETHER.

"There never will be perfect justice in the world until the lion and the lamb can lie down together, and not as they do now, with the lamb inside of the lion.

"Just now we need a body of citizens who are content to do a day's work for a day's wage; who are willing to pay a day's wage for a day's work; who believe more in the common good than in the larger good.

"Since the world began, business and wealth have had no such opportunity for the angel of the Lord to write their names down beside that of Abou Ben Adhem as they have just now.

"The trumpet call of conscience is not only to the meek and lowly, but to the high and mighty, and when dividends and wages are measurably forgotten in the love of service for our Christian country, if there is any hope at all, passion, personal preferment, and personal success must all be put in the background and the capitalists and the laborers must realize that the consumer is also entitled to admission into the brotherhood and business must be conducted and work must be done primarily for the love of promoting a contented and a happy people.

DIVIDENDS MUST BE SECONDARY.

"Dividends and wages must be secondary. This is a problem for solution by men who believe in the fatherhood of God and the brotherhood of man.

"It calls on every man of every creed to solve it; not for one person, nor for one class, but in the interests of the whole people.

"Is it not to be hoped that soon again the Nazarene shall walk through field and factory, through palace and hovel, leaving behind Him everywhere the only solution for every great problem, the healing influence of His golden rule.

"I am in favor of any alleviating measure for the time that would adjust these troubles, but I have no confidence in the proposed settlement of these difficulties. This offers no new solution, and I only say it in the hope that men of every creed may realize how futile has been our theology when we have imagined that we could go to church on Sunday and love God whom we have not seen without the rest of the week loving our fellow men whom we have seen."

SUITS FOR SALVAGE SERVICES.

Mr. JONES of Washington. Mr. President, a day or two ago when the calendar was up we reached the bill (S. 3076) authorizing suits against the United States in admiralty, suits for salvage services, and providing for the release of merchant vessels belonging to the United States from arrest and attachment in foreign jurisdiction, and for other purposes. The bill was read at considerable length, although I do not think entirely, and it went over at the suggestion of the Senator from Utah [Mr. KING]. The Senator from Utah has examined the bill, and I think not only is perfectly satisfied to withdraw his ob-

jection but thinks that the bill ought to pass. It is a very urgent matter, and I hope it may be passed. I think there will be no objection to it.

There being no objection, the bill was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the United States, and any corporation in which the United States owns not less than a majority of the capital stock, may be sued in personam in the district courts of the United States, in admiralty, for any cause of action of which said courts ordinarily have cognizance in their admiralty and maritime jurisdictions, arising, since April 8, 1917, out of, or in connection with, the possession, operation, or ownership by the United States, or such corporation, of any merchant vessel, or the possession, carriage, or ownership by the United States, or such corporation, of any cargo, in those cases where, if the United States were suable as a private party a suit in personam could be maintained, or where, if the vessel or cargo were privately owned or possessed, a suit in rem could be maintained and the vessel or cargo could be arrested or attached at the time of the commencement of suit. Any such suit shall be brought in the district court of the United States for the district in which the parties so suing, or any of them, reside or have their principal place of business in the United States, or in which the vessel or cargo charged with liability is found, or in the district in or nearest which the cause of action arises, or in any district in which the Attorney General or other duly authorized law officer, may agree to appear. In case the United States, or such corporation, shall file a libel in rem, or in personam, in any district, a cross libel in personam may be filed, or a set-off claimed against the United States, or such corporation, with the same force and effect as if the libel had been filed by a private party. Such district court is hereby authorized to hear and determine any such suit upon the principles of liability, and in accordance with the practice, obtaining in like cases between private parties in suits in admiralty, and, in a proper case, to enter a decree for or against the United States, or such corporation, with costs, and if for a money judgment, together with interest at the rate of 4 per cent per annum until paid, unless the suit involves a contract stipulating a higher rate of interest, in which event interest shall be allowed in accordance with the contract, and all interest shall run as ordered by the court. Appeal from the decree of the district court in any case brought under this act shall lie to the Circuit Court of Appeals and to the Supreme Court, and the decision of the Circuit Court of Appeals shall be reviewable by the Supreme Court, as now provided in other cases of admiralty and maritime jurisdiction.

SEC. 2. That no suit in rem shall be brought against, nor any warrant of arrest or attachment levied upon, any vessel owned or operated by, or demised to, or in the possession of, the United States, or such aforesaid corporation, nor against nor upon any cargo owned and in the possession of the United States, or of such corporation, but any suit brought hereunder shall, if the libellant so elects in his libel, proceed in accordance with the principles of suits in rem in all cases wherein maritime liens exist and where, if the vessel or cargo with respect to which the action arises were privately owned and possessed a suit in rem could be maintained and the vessel or cargo arrested or attached at the time of the commencement of suit; but election to proceed as aforesaid as in rem shall not preclude the libellant in a proper case from also seeking relief in personam in the same suit.

SEC. 3. That the United States, and such aforesaid corporation, shall be entitled to the benefits of all exemptions from, and all limitations of, liability accorded by the statutes of the United States, and of the several States and Territories, and by the maritime law, to the owners, charterers, operators, and agents of vessels.

SEC. 4. That neither the United States, nor such aforesaid corporation, shall be required to give any bond or admiralty stipulation in any suit brought hereunder, either in the court of original jurisdiction or in any appellate court.

SEC. 5. That in the event of any privately owned vessel, out of the possession of the United States, being arrested in any suit in rem, or attached in any suit in personam, such vessel shall be immediately released without bond or stipulation being required therefor upon the United States, through the Attorney General, or any other officer duly authorized by him intervening and assuming responsibility for all liability arising in such suit, and upon such intervention said cause shall proceed against the United States in accordance with the provisions of section 2.

SEC. 6. That jurisdiction be, and hereby is, conferred upon the several courts of the United States for the purposes herein specified.

SEC. 7. That in any suit brought hereunder, the libellant shall file his libel, duly verified, with the clerk of the district court having jurisdiction of the cause, and shall forthwith serve a copy thereof on the United States attorney for such district, and mail a copy thereof, by registered mail, to the Attorney General of the United States, and shall file with the clerk of said district court an affidavit of such service and mailing. Such service and mailing shall constitute a valid service on the United States.

SEC. 8. That suits herein authorized may be brought within one year after the approval of this act, with respect to any of the aforesaid causes of action arising prior to such approval; and all other suits hereunder shall be brought within two years after the cause of action arises.

SEC. 9. That if any vessel or cargo within the purview of sections 1 and 5 of this act is arrested, attached, or otherwise seized by process of any court in any country other than the United States, or if any suit is brought therein against the master of any such vessel, for any cause of action arising out of, or in connection with, the possession, operation, or ownership of any such vessel, or the possession, carriage, or ownership of any such cargo, the Secretary of State of the United States, in his discretion, upon the request of the Attorney General of the United States, or any other officer duly authorized by him, may, in the event of such arrest, attachment, or seizure of any such vessel, direct the United States consul residing at or nearest the place at which such action is commenced to claim such vessel or cargo and to execute an agreement, undertaking, bond, or stipulation for and on behalf of the United States, or the United States Shipping Board, or such aforesaid corporation, for the release of such vessel or cargo from such arrest, attachment, or seizure, as by said court required, and, if an appeal shall thereafter intervene, to execute such agreement, undertaking, bond, or stipulation as shall be required for the prosecution of said appeal, or may, in the event of such suit against the master of any such vessel, direct the United States consul residing at or nearest the place of such action is commenced to enter the appearance of the United States, or of the United States Shipping Board, or of such aforesaid corporation, in such action, and to pledge the credit thereof to the payment of any judgment and costs that may be entered in such suit. The Attorney General is hereby vested with power and authority

to arrange with any bank, surety company, person, firm, or corporation in the United States, its territories and possessions, or in any foreign country, to execute any such aforesaid bond or stipulation as surety or stipulator thereon, and to pledge the credit of the United States to the indemnification of such surety or stipulator as may be required to secure the execution of such bond or stipulation. The presentation of a copy of the judgment roll in any such suit, certified by the clerk of the court and authenticated by the certificate and seal of the United States consul claiming such vessel or cargo, or his successor, and by the certificate of the Secretary of State as to the official capacity of such consul, shall be sufficient evidence to the proper accounting officers of the United States for the allowance and payment of such judgment: *Provided, however,* That where the status of any vessel within the purview of this section so warrants, nothing in this act shall be held to prejudice or preclude a claim of the immunity of such vessel from foreign jurisdiction, or prevent a settlement of the case through diplomatic negotiations.

SEC. 10. That any final judgment rendered in any suit herein authorized, and any final judgment within the purview of sections 5 and 9 of this act, and any arbitration award or settlement had and agreed to under the provisions of section 11 of this act, shall, upon the presentation of a duly authenticated copy thereof, be paid by the proper accounting officers of the United States out of any appropriation or insurance fund or other fund especially available therefor; otherwise there is hereby appropriated, out of any money in the Treasury of the United States not otherwise appropriated, a sum sufficient to pay any such judgment, or award, or settlement.

SEC. 11. That the Secretary of any department of the Government of the United States, or the United States Shipping Board, or the board of trustees of such aforesaid corporation, having control of the possession or operation of any merchant vessel, are, and each hereby is, authorized to arbitrate, compromise, or settle any claim in which suit will lie under the provisions of sections 1, 5, 9, and 12 of this act.

SEC. 12. That the United States, and the crew of any merchant vessel owned or operated by the United States, shall have the right to collect and sue for salvage services rendered by such vessel and crew, and any moneys recovered therefrom by the United States for its own benefit, and not for the benefit of the crew, shall be covered into the United States Treasury to the credit of the department of the Government of the United States, or of the United States Shipping Board, or of such aforesaid corporation, having control of the possession or operation of such vessel.

SEC. 13. That all moneys recovered in any suit brought by the United States on any cause of action arising out of, or in connection with, the possession, operation, or ownership of any merchant vessel, or the possession, carriage, or ownership of any cargo, shall be covered into the United States Treasury to the credit of the department of the Government of the United States, or of the United States Shipping Board, or of such aforesaid corporation, having control of the vessel or cargo with respect to which such cause of action arises, for reimbursement of the appropriation, or insurance fund, or other funds, from which the loss, damage, or compensation for which said judgment was recovered has been or will be paid.

SEC. 14. That the Attorney General shall report to the Congress at each session thereof the suits under this act in which final judgments shall have been rendered against the United States and such aforesaid corporation, and the Secretary of any department of the Government of the United States, and the United States Shipping Board, and the board of trustees of any such aforesaid corporation, shall likewise report the arbitration awards or settlements of claims which shall have been agreed to since the previous session, and in which the time to appeal shall have expired or have been waived.

SEC. 15. That the provisions of all other acts inconsistent herewith are hereby repealed.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

TREATY OF PEACE WITH GERMANY.

The Senate, as in Committee of the Whole and in open executive session, resumed the consideration of the treaty of peace with Germany.

RECESS.

Mr. WATSON. I move that the Senate take a recess until 11 o'clock to-morrow.

The motion was agreed to; and (at 4 o'clock and 50 minutes p. m.) the Senate took a recess until to-morrow, Saturday, October 25, 1919, at 11 o'clock a. m.

CONFIRMATION.

Executive nomination confirmed by the Senate October 24 (legislative day of October 22), 1919.

CHIEF OF NAVAL OPERATIONS.

Rear Admiral Robert E. Coontz to be Chief of Naval Operations in the Department of the Navy with the rank of admiral.

HOUSE OF REPRESENTATIVES.

FRIDAY, October 24, 1919.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Eternal Father, author of life and all that makes it dear to our hearts, we draw near to Thee for inspiration. Illumine our minds, purify our hearts, quicken within every noble impulse, that our service may be acceptable unto Thee and bring peace, joy, and happiness to our souls. This in the name of Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.